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STATE DOCUMENTS

**LOCAL GOVERNMENT REVIEW**

**BULLETIN**

Vol. 2, No. 6 (Revised)

May 1977

LOCAL GOVERNMENT  
BOARDS, COMMISSIONS, COMMITTEES,  
TAXING AREAS, AND SPECIAL DISTRICTS  
AS  
SPECIFICALLY AUTHORIZED BY MONTANA STATUTES

Carol L. Ferguson

**STATE COMMISSION ON LOCAL GOVERNMENT**

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## PREFACE

The 1974 Act creating the State Commission on Local Government provides: "The Commission shall make a detailed and thorough study of local government structure, powers, services, finance and state-local relations. The Commission shall prepare a revised code of local government law based on its studies and may make other recommendations for the improvement of local government."

In compliance with this legislative mandate, the Commission directed the Staff to prepare material summarizing the structure and organization of local government in Montana. This report supplements other Commission publications on the structure and organization of local government that were prepared for and distributed to Local Government Study Commissions.

The laws authorizing local government boards, commissions, special districts and authorities are incredibly complex. This report attempts to summarize for the layman, local elected official and state legislator the creation, organization, structure, powers, duties, functions, and finance of the various boards, commissions, special districts and authorities that are currently authorized by state law. The report not only summarizes existing laws, but contains a list of the boards, commissions and districts that exist within each county. There are over 130 types of boards, commissions and districts authorized by state law and over 2,700 actually in existence in the 56 counties of the state.

The complexity of these laws and the number of actual boards and commissions indicate the need for a simplification and standardization of the methods for creating and governing these districts and boards.

This report was compiled by Carol Ferguson. Ms. Ferguson's extensive knowledge of local government structure and organization, her intimate knowledge of state law on boards, commissions and districts, and her diligence are all reflected in the quality of this report. This report literally represents thousands of hours researching obscure state statutes, compiling and cross-checking lists and endless hours corresponding with County Clerks and Recorders and various state agencies. I join Carol in expressing our sincere appreciation to all individuals and organizations that have contributed to the preparation of this report.

Errors of fact or interpretation cannot be avoided in a publication of this type. Every effort has been made to verify information, but there may still be errors in this report. Readers may contact the Montana Association of Counties with any corrections or additions that they feel should be made. The Association of Counties intends to maintain a file with current information on the organization of County government in Montana.



The preparation and publication of this report will be justified only by the use made of it by laymen, county officials and the legislature. For the layman and local officials it is intended as a guide. For the legislator it should serve as a demonstration of the need to reorganize and standardize the laws relating to local government boards, commissions, departments and districts. While this report is not a substitute for the revision of these laws, hopefully it will demonstrate the value of such a revision.

DALE A. HARRIS

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## CHAPTER I

### INTRODUCTION

In June, 1975 the State Commission on Local Government published a Voter Review Bulletin containing basic information about the substructure of local governments. It included a description of each board, commission, committee, taxing area, special district or authority specifically authorized by state law as part of local government. In order to update and supplement the information in that Bulletin, the Commission is republishing it in this revised and expanded form which focuses primarily on counties.

Local government structure in Montana may be viewed from any of a number of perspectives, including personnel structure, areas of jurisdiction and functional relationships. A local government is comprised of elected officials, appointed deputies, department heads and assistants, and other employees. There is also a potentially vast substructure of boards, commissions, committees, taxing areas and special districts, some of which may employ staffs of their own. Specific state statutes authorize or mandate cities, towns, or counties to create certain boards, commissions, committees, taxing areas or special districts. Cities may create other boards, commissions, and committees by ordinance. Through the Interlocal Cooperation Act, the state authorizes cities, towns, and counties and other public agencies to create joint boards "to perform any administrative service, activity or undertaking" which they are authorized by law to perform. In addition, there are a large number of agencies, associations, boards and councils that are closely related to the structure or functions of city or county government although they are not authorized by state law as part of any local government. Nevertheless, in specific activities, these "related agencies" may very nearly constitute a functional part of local government substructure. (State agencies also have designated a number of "districts" which follow or overlap county boundaries. Generally their purpose is to facilitate administration of state-level programs. These districts are not addressed in this publication.)

Most of this Bulletin deals with those boards, commissions, committees, taxing areas and special districts which are specifically authorized or mandated by state statute. For each of these entities there are sections of state law outlining or specifying in detail how that board or district may be created and sometimes, but not always, how it may be modified or terminated; how or within what limit it is to be financed; and what its powers are to be. The

powers and duties of these boards, commissions, and authorities vary considerably. Some have broad powers while others have very little power; some advise the governing body; others act in a quasi-judicial or administrative review capacity. Some boards are clearly subordinate to the local government; some are linked with another board; others function as essentially independent special purpose local governments.

This report contains both a list and a brief description of each board, commission, and special district that a local government may create according to a specific authorization of state law. Each description includes the following information: name; date originally authorized; function; formation; number, qualifications, and appointment of members; their terms; method of filling vacancies; compensation; officers, meetings; finance; powers; reports; citation of authorizing statute; and related state agency, if any. Specific provisions for joint boards and commissions are indicated. If no information is given for a particular item it is because there are no specific statutory provisions regarding that item.

Included in the Bulletin is an organization chart of the prevalent mayor-council and county commissioner local government structure in Montana. The chart indicates the area of jurisdiction authorized for each board or district, who appoints or elects a board, and whether the governing body governs a taxing area or special district. A flow chart for one type of special district (cemetery district) is also included to illustrate the inter-relationship of the district and the county government, the district court and a related board. A third chart illustrates the potential range of county structures and activities, including authorized structures and "related agencies."

The Bulletin is not an analytical record but rather consists of very basic information. For instance, the statutes on boards and districts are scattered throughout the codes, so that the first task was literally to compile a complete list of those boards and districts that are specifically authorized by state law. Altogether the Bulletin is bare-bones background only, providing elements of information about what boards or districts are specifically authorized to exist, the legal context in which each of them functions, and an outline of their possible areas of jurisdiction.

The revised Bulletin includes a tentative list of the specifically authorized boards and districts that appeared to exist in each county in 1976. The clerk and recorder of each county was asked to correct and/or verify the list for that county. Many clerks and recorders were extremely helpful; a few were not responsive. For several reasons, their task was not as clear-cut as it might initially appear. Most counties do not maintain a single list of the boards or districts created or terminated through the county. A board or district might continue to exist on paper long after it has ceased to function, such as the Flynn Shelly Irrigation District in Broadwater County or the mandated but nearly obsolete county land advisory boards, which for the most part have gone out of existence because the circumstances which brought them about no longer prevail. On the other hand, a county may, in fact, have useful, functioning

boards which the county has no specific statutory authority to create. In the past, according to the prevailing interpretation of laws for counties, it was assumed that a county might do legally only what it was specifically authorized to do and only in the manner specifically authorized. Yet while current law authorizes a county to provide rodent control services, it says nothing about any administrative or advisory structure. One might assume, then, that no such separate structure exists. In fact, however, several counties have created a rodent control board or a combined weed-and-rodent control board to meet their apparent needs. In another instance, state law has authorized multi-county regional mental health corporations with administrative boards made up of county commissioners or their appointees. Some counties have in addition created their own local advisory mental health boards or committees.

Even with boards or districts clearly authorized by state law, there is room for confusion. A statute may refer to a board by a different name than the one commonly used. The cumbersome "county buildings and improvements management commission" may in reality be whatever-the-local-name is for a civic or youth center board, a county hospital board, a county park or recreation center board, or a county museum board, if that board was organized under the provisions of section 16-1008A of the Revised Code of Montana, 1947. (There are also other sections of law in other places in the codes, authorizing park, recreation, museum, or hospital boards. Boards created under those statutes have a different structure and different powers than boards created under section 16-1008A.)

Sometimes state law authorizes very different kinds of legal entities to provide similar services. For example, sewer services in a part of the county may be provided through a rural improvement district, which, like a municipal S.I.D., is essentially a subordinate service-and-taxing area; or, the service may be provided by a metropolitan sanitary and storm sewer district, with the county commissioners as the ex officio board; the service may come from a county sewer or water and sewer district, which is an independent special purpose local government with its own elected board of directors. A person not familiar with all three entities might not readily distinguish one from the other by name alone. Conceivably, too, a person might mistakenly attach the name of one board to the function of another, such as equating a county land advisory board with a county planning board.

To some extent the substructure of county government is always in flux. During the time these lists were being compiled, changes were taking place. New water and sewer districts, hospital districts, and mosquito abatement districts were in the process of being created. The legislature authorized urban transportation districts, and one has already been created. And the library federation system, despite difficulties, has continued its development.

There are, in addition, numerous councils, commissions, and committees involving county officials, county funds, or county services which exist not as a result of specific state laws but as a result of county needs and sometimes state or federal programs that permit or require local initiative or local involvement. Among these are the county and area Councils on Aging; county development councils; Human Resource Development Councils; Resource, Conservation, and Development Districts; Water Quality Management Planning Districts; and the Economic Development Association of Eastern Montana.

Included in this Bulletin is a chart indicating the potential scope of structures and activities related to county government. The Bulletin also presents brief, informal descriptions of several of the "related agencies" in order to illustrate some of the ways their structure, services, or financing may link them with county government. These agencies, too, are always changing, so that the structures, financing sources, and focuses described early in 1976 may have shifted somewhat by mid-1977.

Despite its necessarily tentative nature, the revised Bulletin probably provides the most comprehensive single guide currently available to the potentially vast substructure of Montana's counties. If nothing else, the chart of county structures and activities may help to dispel the surprisingly active myth that "all county commissioners do is look after the roads."

## CHAPTER II

### LIST OF INDIVIDUAL COUNTY APPOINTEES SPECIFICALLY AUTHORIZED BY MONTANA STATUTE

The board of county commissioners is authorized "to employ such persons as it deems necessary to assist the board in the performance of its duties." This section of law, 16-913, R.C.M., 1947, was enacted in 1973 and, for example, permits the hiring of administrative assistants. A statute that authorizes the county to provide a service may also grant the power to appoint or employ appropriate personnel. For instance, in conjunction with their rodent control program (see 16-1175, R.C.M., 1947), some counties have designated one or more rabies control agents. In addition to this general authority, Montana statutes over a period of years have authorized county commissioners to make certain specific individual appointments:

<u>CITATION</u> <u>R.C.M., 1974</u>	<u>APPOINTEES</u>
84-5217	bounty inspectors
77-2307	civil defense director, voluntary air raid wardens, rescue teams, auxiliary and police personnel, and other civilian defense workers
89-711	dam experts
16-1003	election judges
11-2001	fire warden
28-602	county rural fire chief and district fire chiefs
16-1149	insect pest exterminator
16-4607	(county) pound master
16-1116	public ferryman (for multi-county ferries see 32-2907)
16-1110	public weigher
16-1162	relief agency fund administrator
9-306	sextons and other officers for public cemeteries in unin- corporated towns
32-2804	county road supervisor and
32-3001	county road superintendent
46-1805	roundup foreman
46-2705	special livestock deputy
16-1124	stock inspector
16-1007	special appraisers (purchase by county of real property valued over \$100)

16-2409

Elected county officials, except for the justice of peace, may appoint their own deputies or assistants.

16-1009(3)

District judges may appoint certain persons:

93-1901

appraisers for protested sale of county property

10-1240

court reporters

10-1237

youth court committee

10-1233

youth detention home personnel

youth probation officers

(appointed by youth division judge)

16-2404

Montana law authorizes township constables and permits subordinate officers to be provided for by the board of county commissioners.

16-2409

The constable may appoint deputies and assistants.



### CHAPTER III

#### LIST OF BOARDS, COMMISSIONS, COMMITTEES, TAXING AREAS AND SPECIAL DISTRICTS SPECIFICALLY AUTHORIZED OR MANDATED BY MONTANA STATUTE

In addition to elected and appointed local government officials and employees, there are in each city, town, and county, a variety of boards, councils, commissions, and districts which constitute a substructure and a pattern of relationships unique to that local government. These include entities authorized or mandated by specific legislation to function either as part of a local government or as essentially independent special purpose districts or authorities created through the framework of local government.

#### CITATION R.C.M., 1974

#### BOARD OR DISTRICT

69-3919

#### AIR POLLUTION CONTROL BOARD

Multi-City  
City  
City-County  
County  
Multi-County

#### AIRPORTS

#### Airport Authority

1-904

Municipal

1-918

City  
(City and county as municipal  
airport authorities may create  
subordinate joint airport board.)  
County

1-905

Regional

Multi-City  
City-County  
Multi-County

1-803, 1-814	Airport Board
1-812	Multi-City
	City
1-821	City-County
	County
1-821	Multi-County
1-718, 11-2707	Airport Board of Adjustment
	City
	County
1-712(2)	Joint Airport Zoning Board
	Comprised of representatives of any political subdivisions of this state as well as any other state included in the airport hazard area. Political subdivision may refer to a city, town, village, county, public corporation, authority or district.
1-714(2)	Airport Zoning Commission
	May be appointed by political sub-division or by joint airport zoning board.
16-1008A	<u>(COUNTY) BUILDINGS AND IMPROVEMENT MANAGEMENT COMMISSION</u>
	(Civic center, youth center, park buildings, museums, county parks, recreation centers, hospitals, or any combination of these.)
9-201, 9-207	<u>PUBLIC CEMETERY DISTRICT BOARD OF TRUSTEES</u>
9-217	Board of Trustees of Public Cemetery District Permanent Care and Improvement Fund
77-2307	<u>LOCAL ORGANIZATION FOR CIVIL DEFENSE</u>
11-3272	<u>CIVIL SERVICE BOARD</u> (Commission-manager form)
47A-3-203 thru 47A-3-206	<u>COMMUNITY COUNCILS</u>

16-902.1

COUNTY COMMISSIONERS DISTRICTS

CONSERVATION DISTRICTS

89-3412

Conservancy District Supervisors

County  
Multi-County

89-3301

Flood Control and Water Conservation  
Projects

Multi-City  
City  
City-County  
County  
Multi-County

76-105 to 107

(Soil and Water) Conservation District  
Supervisors

City-County  
County  
Multi-County

11-4301

COUNTY DISASTER COMMITTEE

89-2302

DRAINAGE DISTRICT BOARD OF COMMISSIONERS

City-County  
County  
Multi-County

71-1604

ECONOMIC OPPORTUNITY AND POVERTY RELIEF  
COMMISSION (CITY-COUNTY)

ELECTIONS

Election Boards

23-3302

City  
County

23-3201

23-4009

County Board of Canvassers

FAIRS

16-1401 County Fair Commission  
16-1408 District Fair Board of Directors  
(Multi-County)

FIRES

11-2010 Fire District Trustees (County)  
11-1922 (Board of Trustees of City Fire Department Relief Association)

BOARD OF HEALTH

69-45  
69-4505, 11-946 City  
69-4506 City-County  
69-4504 County  
69-4507 Multi-County Districts

HOSPITAL DISTRICT BOARD OF TRUSTEES

16-4307 City-County  
County

HOUSING AUTHORITY

35-1  
35-110 Cooperating Multi-City  
35-105 City  
35-110 Cooperating City-County  
35-128 and 129 County  
35-110 Cooperating Multi-County

INSECT EVALUATION COMMITTEE

3-3504

INTERLOCAL COOPERATION COMMISSION

11-4403 and 4404

City-County

IRRIGATION AND WATER

89-1204(4) Irrigation District Commissioners  
County  
Multi-County

IRRIGATION AND WATER (Continued)

89-1209 (Board of Control of Joint Irrigation  
Districts)

County  
Multi-County  
Interstate

89-1001 Water Commissioners

16-1503 (COUNTY) LAND ADVISORY BOARD

LIBRARY BOARD

44-221 City Library Board

44-219.2 Joint City-County Library Board

44-221 County Library Board

44-214 Federated Library Board

Multi-City  
City-County  
Multi-County

LIVESTOCK

46-2801 Cattle Protective District Committee  
(Multi-County)

46-2701 Livestock Protective Committee (County)

46-1501 Herd District

County  
Multi-County

46-1601 Horse Herd District (County)

46-2101 Sheep Protective Area, Predatory Animal  
Control

County  
Multi-County

32-3105 (COUNTY) LOCAL IMPROVEMENT DISTRICT COM-  
MITTEE OF SUPERVISORS

16-5103, 16-5106

LOCAL GOVERNMENT STUDY COMMISSION

Multi-City Cooperating  
City  
City-County Cooperating  
County  
Multi-County Cooperating

80-2804

REGIONAL MENTAL HEALTH CORPORATION BOARDS

16-4207

MOSQUITO ABATEMENT DISTRICT BOARD

County, may include city  
Multi-County

11-3262

MUNICIPAL PLAN BOARD (Commission-manager  
form)

16-1165

MUSEUM BOARD OF TRUSTEES (COUNTY)

62-607

OPEN-SPACE LAND PLANNING COMMISSION

Multi-City  
City-County  
Multi-County  
State

PARKS AND RECREATION

Board of Park Commissioners

62-203

City  
County

16-4801

62-218

Board of Recreation

City, town, school district or any  
board thereof may create a board  
of recreation.

11-3703

(CITY) PARKING COMMISSION

PLANNING AND/OR ZONING

11-3801

Planning Board

PLANNING AND/OR ZONING (Continued)

11-3801	Multi-City and County
11-3804	City
11-3810	City-County
11-3810	County
16-41, 16-47	Planning and Zoning (County)
16-4706	Zoning Board of Adjustment
16-4101	Planning and Zoning District Commission
11-27	Zoning (City)
11-2707	Zoning Board of Adjustment
11-2706	Zoning Commission
11-2702	Zoning District
	City
	City-County
11-1804, 11-1804.1	<u>POLICE COMMISSION (CITY)</u>
11-1828	<u>POLICE RESERVE FUND BOARD OF TRUSTEES (CITY)</u>
16-2726	<u>(CITY-COUNTY) DEPARTMENT OF PUBLIC SAFETY SUPERVISORS</u>
32-2801	<u>(COUNTY) ROAD DISTRICTS</u>
46-1805	<u>ROUNDUP DISTRICTS</u>
16-1601	<u>RURAL IMPROVEMENT DISTRICTS</u>
16-1605.2	County
16-1605.2	District Board of Trustees (Multi-County)

SCHOOLS

75-5902                      School District Trustees  
75-6703                      Board of School Budget Supervisors  
75-7014                      County Transportation Committee

11-3268                      SINKING FUND TRUSTEES

SOLID WASTE DISPOSAL

16-1031.1,                      Garbage and Ash Collection District  
16-1031.2                      (County)  
  
                                 Refuse Disposal District  
  
69-6003                      City-County  
69-6009                      County Board of Directors  
69-6012                      Multi-County Board of Directors

11-22                        SPECIAL IMPROVEMENT DISTRICTS (CITY)

84-601                       (COUNTY) TAX APPEAL BOARD

70-416, 70-410              TELEVISION DISTRICT TRUSTEES  
  
                                 City-County  
                                 County  
                                 Multi-County

47A-3-207                   TOWN MEETING PERMANENT COMMITTEES

11-3916                      URBAN RENEWAL AGENCY (CITY)

11-4501                      URBAN TRANSPORTATION DISTRICT BOARD

                                 City-County  
11-4506                      Transportation District Selection Board

WATER AND SEWER DISTRICTS

16-4411                      (Metropolitan) Sanitary and Storm Sewer  
                                 District Commissioners



WATER AND SEWER DISTRICTS (Continued)

16-4402 City-County  
16-4401 County  
  
16-4506 (County) Water and Sewer District Board  
of Directors  
  
Multi-City  
City  
City-County  
County  
Multi-County

16-1713 (COUNTY) WEED CONTROL AND EXTERMINATION  
DISTRICT

16-1713 Board of Supervisors  
16-1716 Board of Arbitration

WELFARE

71-214 Board of Public Welfare (County)  
71-213 Department of Public Welfare (Multi-  
County)

41-1901 WINTER WORKS COMMITTEE (CITY)

## CHAPTER IV

### BOARDS AND DISTRICTS: INFORMATION

Scattered through 20 titles of the Revised Codes of Montana, 1947 are 96 sections of law, each of which authorizes at least one of 130 district, school-related, general purpose, or special purpose local government boards; these include 67 different kinds of boards serving more than 70 functions. Some boards may serve more than one function; some functions may be performed by any of two or more boards. Sometimes two or more boards must exist in relationship to each other to permit the complete performance of a function. Allowing for some ambiguities, current Montana law specifically authorizes:

- 23 special purpose districts or authorities;
- 20 largely independent boards, special districts, or authorities;
- 5 types of service areas and improvement districts;
- 8 other kinds of districts (such as regulatory areas);
- 33 specific interlocal boards;
- 60 administrative, supervisory, or regulatory boards;
- 19 advisory boards;
- 9 administrative review or quasi-judicial boards;
- 20 mandatory boards, of which 13 relate to counties and 4 to schools;
- 4 boards that may be created or appointed by another board;
- 16 boards that exist in relationship to another board;
- 5 boards that may also serve as a different board;
- 14 boards on which the county commissioners serve, of which 6 are comprised entirely of the county commissioners.

## MANDATORY BOARDS

State law may either authorize or mandate the creation of local government boards and special districts. Within that general statement exists a range of possibilities. The creation of a board may be:

1. Mandatory for all cities or counties: Example: city and county election boards.
2. Mandatory, if a special district is created. Example: mosquito abatement district board.
3. Optional, if a special district is created. Example: rural fire district trustees. (Instead of establishing a board, county commissioners may contract for fire protection for the district.)
4. Mandatory under certain circumstances. Example: a police commission is mandatory in first and second class cities and must be created in any third class city upon the request of any policeman.
5. Mandatory if the function is to be performed. Example: In order to exercise zoning powers a city or town council must appoint a zoning commission.
6. Mandatory if petitioned for by a required percentage of qualified petitioners. Example: county livestock protection committee.
7. Optional if petitioned for by a required percentage of qualified petitioners. Example: county planning and zoning commission.
8. Optional, to be created by resolution of the governing body. Example: county board of park commissioners.

In some instances, a special district must be created if it is properly petitioned for and/or voted upon: for example, a county water and sewer district. In other instances, however, regardless of the favorable outcome petitioning and election the final decision may rest with the governing body or a state agency: for example, the board of natural resources makes the final decision about the creation of a conservation district.

One board may exist as a consequence of another because it is responsible for a related function: for example, an airport zoning commission must provide for an airport board of adjustment; a city park board may create a board of recreation.

Sometimes the same statute provides alternative methods for initiating the creation of a board: for example, a city or county library board may be initiated and created by resolution of the governing body or by petition and resolution or by petition and election and resolution.

Sometimes different statutes provide differently for the creation of boards of the same name but only similar powers: for example, county park board (16-4801 or 16-1008A) or county museum board (16-1165 or 16-1008A). Furthermore, as the statutes read, the county park board may also have responsibility for the museum or the library (16-4802).

Sometimes the creation of a board may be only one of several alternatives provided by a statute: for example, open-space land planning powers may be exercised through a board or commission or through whatever office or officers the governing body determines by resolution. Again, by resolution of the governing body, a municipality may vest in an officer or board or municipal agency any of its authority for establishing, maintaining, operating or regulating an airport.

State law requires each county to have the following boards:

- County Board of Adjustment
- County Board of Canvassers
- County Election Boards
- Board of Health
- County Land Advisory Board
- Local Government Study Commission (1974-1976)
- County Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

In reality, few, if any, counties continue to have a county land advisory board as prescribed by law, probably because the circumstances which led to the board no longer exist. The statutes requiring the board were enacted in 1933, during the Great Depression. The purpose of the board was to advise county commissioners concerning the disposition of lands which had become county lands upon the failure of the landowner to pay his or her taxes.

In addition to the boards listed above, each school district in the county elects its own board of trustees. The board of county commissioners serves as the board of school budget supervisors. Each county is also required to have a school-related county transportation committee.

State law projects the existence of the county disaster committee in the event of a possible disaster. State law also requires each political subdivision of the state to establish a civil defense organization in accordance with the state civil defense plan and program; some counties indicate they have a civil defense board.

Cities and towns must have election boards; first and second class cities are required to have a board of health (or there may be a city-county board), a police commission, and a board of trustees of the police reserve fund. A board of trustees of the Fire Department Relief Association is a mandatory part of that association where the fire fighting equipment has a value of \$750 or more.

Each city, town, and county was required to have a local government study commission from 1974 to 1976. The creation of any future study commissions is at the option of the electors of the particular city, town, or county.

State law requires the establishment of multi-county Regional Mental Health Corporations administered by boards comprised of county commissioners or their appointees.

BOARDS MANDATED BY STATE STATUTES  
AND  
CIRCUMSTANCES UNDER WHICH A BOARD IS MANDATORY

Municipal and Regional Airport Authorities and Joint Board

Public agencies acting jointly under the laws governing airport authorities are to create a joint board.

Airport Board of Adjustment

Airport zoning regulations are to provide for a board of adjustment.

Airport Zoning Commission

Must be appointed prior to the original zoning of any airport hazard area.

Civil Defense Board

Establishment of a civil defense organization is mandatory but the law does not specify that there be a board.

Public Cemetery District Board of Trustees

Board mandated if district created.

Board of Trustees of Public Cemetery District Permanent Care  
And Improvement Fund

Establishment of fund mandatory when district created; trustees become mandatory when fund reaches \$100. (District judge may act as temporary de facto trustee.)

(Community College District)

Board mandatory if district created.

Community Councils

Mandatory if required in form of government.

Conservancy District Supervisors

Board mandated if district created.

(Soil and Water) Conservation District Supervisors

Board mandated if district created.

### County Disaster Committee

(Rather than authorizing the creation of the committee, the statutes project its existence in time of need as a function of a specific combination of government officials and/or employees.)

### Drainage District Directors

Board mandated if district created.

### Election Boards

Mandatory

### County Board of Canvassers

Mandatory

### District Fair Board of Directors

Board mandatory if district created.

### Fire District Trustees

Trustees mandatory if county commissioners do not contract for district fire protection upon creation of district.

### Board of Trustees of Fire Department Relief Association

Mandatory if equipment value equals or exceeds \$750.

### Boards of Health

Mandatory for all counties and first and second class cities.

### Hospital District Board of Trustees

Board mandated if district created.

### Irrigation District Commissioners

Board mandated if district created.

### Board of Control of Joint Irrigation Districts

Board mandated if districts to function jointly.

### County Land Advisory Board

Mandatory

### Library Boards

City or county board mandatory if library created; joint board mandatory if joint library created. (But elsewhere a county park board is authorized to manage a county library.)

### Cattle Protective District

Board mandatory if district created.

### Livestock Protective Committee

Board mandatory if adequately petitioned for.

### Local Improvement District Committee of Supervisors

Committee mandatory if district created.

### Local Government Study Commission

Mandatory 1974-1976 only.

### Regional Mental Health Corporation

Board mandatory, applies only to participating counties.

### Mosquito Abatement District Board

Board mandatory if district created.

### Museum Board of Trustees

If county acquires a museum or collection, the county commissioners appoint board.

### City-County Planning Board

If a city is to zone beyond its limits, the creation of a city-county planning board is necessary, or a city planning board may be expanded to include representation from the affected area.

### County Board of Adjustment

Mandatory

### City Zoning Commission

In order to exercise zoning powers a city or town council must appoint a zoning commission.

### Police Commission

Mandatory in first and second class cities. Policemen in third class cities may request that a commission be formed.



Police Reserve Fund Board of Trustees

Mandatory in first and second class cities.

City-County Department of Public Safety Supervisors

Supervisory Commission mandatory if department created.

Refuse Disposal District Board of Supervisors

Board mandatory if district created.

County Road Districts

One or more districts mandatory.

Rural Improvement District Board of Trustees

Board mandatory if multi-county district created.

Board of School Budget Supervisors

Mandatory (county)

(School District Board of Trustees)

Mandatory for each district.

County Tax Appeal Board

Mandatory

Television District Trustees

Board mandatory if district created.

County Transportation Committee (school-related)

Mandatory

Urban Transportation District

Board mandatory if district created.

Metropolitan Sanitary and Storm Sewer District

Board of county commissioners are ex officio commissioners of district if district created.

County Water and Sewer District

Board mandatory if district created.

## Board of Public Welfare

Mandatory: Board of county commissioners are ex officio the county welfare board.

## Weed Control and Extermination District Board

District and board mandatory

Under the city commission-manager system prior to the enactment of the alternative form part of Title 47A:

The commission may appoint a municipal plan board. (11-3262)

Upon request of the city manager, the commission shall appoint advisory boards to consult with and advise the various departments. (11-3262)

The commission may appoint a civil service board. (11-3272)

The members of the commission, the city manager, and the director of finance shall constitute the sinking fund trustees. (11-3268)

ELECTIONS RELATED TO LOCAL GOVERNMENT BOARDS  
OR  
SPECIAL DISTRICTS

Current law sometimes requires that an election be held

- a) to create a special district,
- b) to create a board, or
- c) to select members of a board.

<u>NAME OF BOARD OR DISTRICT</u>	<u>ELECTION TO CREATE BOARD OR DISTRICT</u>	<u>ELECTION OF BOARD MEMBERS</u>
Public Cemetery District	DE	
Community College District	DE	DE
Concervancy District	DE	
Conservation District	DE	DE
Drainage District Commissioners		DE
(Board of Trustees of Fire Department Relief Association)		(Partly E)
Rural Fire District Trustees		DE*
Housing Authority	E	
Public Hospital District	DE	DE
Irrigation District Commissioners		DE
Board of Control of Joint Irrigation District	DE	
Library Board	E**	
Local Government Study Commissions	E**	E
Local Improvement District Committee of Supervisors		DE
Mosquito Abatement District	DE**	
(Police Reserve Fund Board of Trustees)		(Partly E)
School District Trustees		DE
Urban Transportation District	DE	DE
County Water and Sewer Districts	DE	DE

DE = By vote of electors within the district

E = By vote of electors within the city or county jurisdiction.

\* Unless when the district is created the county commissioners decide to contract for services for the district.

\*\*An election may be held under certain circumstances.

# DATES OF AUTHORIZATION

1891	(County) Tax Appeal Board
1895	Fire District Trustees (County)
(1895); 1969	Election Boards
(1899); 1939	Water Commissioners
1903	County Fair Commission
(1905); 1921	Drainage District Directors
1907	Board of Trustees of Fire Department Relief Association (City)
1907	Police Commission (City)
(1907); 1909	Irrigation District Commissioners
1909	City Board of Park Commissioners
1913*	Special Improvement Districts (City)
(1915); 1967	City Library Board
(1915); 1967	Joint City-County Library Board
(1915); 1967	County Library Board
1915	County Rural Improvement Districts
1917	Sinking Fund Trustees (City)
1917	Municipal Plan Board (City)
1917	Herd District
1917	Civil Service Board
(1917); 1965	Local Improvement District Committee of Supervisors (County)
1925	Roundup Districts
1929	City Airport Boards
1929	City-County Airport Boards
1929	County Airport Boards

\*Replaced -

1929	Multi-County Airport Boards
1929	Zoning Board of Adjustment
1929	Zoning Commission
1929	City Zoning Districts
1929	Police Reserve Fund Board of Trustees (City)
1931	(County) Buildings and Improvements Management Commission
1931	District Fair Board of Directors (Multi-County)
1931	Horse Herd District (County)
(1931); 1974	Garbage and Ash Collection Districts (County)
1933	(County) Land Advisory Board
1935	City Housing Authorities
1937	Board of Public Welfare (County)
1937	Department of Public Welfare (County or Multi-County)
1939	(Soil and Water) Conservation District Supervisors
(1939); 1974	Federated Library Boards
1939	Board of Recreation
1939	Weed Control and Extermination District Board (County)
1939	(Weed) Board of Arbitration (County)
1941	County Housing Authorities
1943	Public Cemetery District Board of Trustees
1943	Sheep Protective Area, predatory animal control
1945	Museum Board of Trustees (County)
1947	Airport Board of Adjustment
1947	Joint Airport Zoning Board
1947	Airport Zoning Commission
1951	(City) Parking Commission

1951	Local Organization for Civil Defense
1953	Hospital District Board of Trustees
1953	Planning and Zoning District Commission (County)
1953	Livestock Protective Committee (County)
1953	Mosquito Abatement District Board
1955	Board of Trustees of Public Cemetery District Permanent Care and Improvement Fund
1957	Planning Boards
1957	(Metropolitan) Sanitary and Storm Sewer District Commissioners
1957	(County) Water and Sewer Districts
1959	Board of Control of Joint Irrigation Districts
1959	Urban Renewal Agencies (City)
1961	Television District Trustees
1963	Cattle Protective District (Multi-County)
1963	Zoning Board of Adjustment (County)
1963	City-County Zoning Districts
1963	Multi-County Rural Improvement District Board of Trustees
1965	Flood Control and Water Conservation Districts
1965	Economic Opportunity and Poverty Relief Commis- sions (City-County)
1965	County Road Districts
1965	Winter Works Committee (City)
1967	Air Pollution Control Boards
1967	County Disaster Committee
1967	City Boards of Health
1967	City-County Boards of Health
1967	County Board of Health

1967	Multi-County Districts Boards of Health (may include cities)
1967	County Board of Park Commissioners
1969	Conservancy District Supervisors
1969*	Election Boards (City and County)
1969*	Board of County Canvassers
1969	Interlocal Cooperation Commission
1969	Open-Space Land Planning Commission
1969	Board of Directors of Refuse Disposal District (County)
1971	Airport Authority
1971	Joint Board of Airport Authorities
1971	Board of Directors of Refuse Disposal Districts (Multi-County)
1971**	School District Board of Trustees
1971**	Board of School Budget Supervisors
1971**	County Transportation Committee
1973	(City-County) Department of Public Safety Super- visors
1974	Local Government Study Commissions
1974	County Commissioner Districts
1975	Community Councils
1975	Insect Evaluation Committee
1975	Regional Mental Health Corporation Board
1975	Transportation District Selection Board
1975	Urban Transportation Districts

\* 1960 law replaces election laws of 1895 and subsequent amendments.

\*\*School laws were recodified in 1971.

# BUDGET AUTHORITY

Many boards present budget proposals to the governing body, which has the final authority to modify or approve the requested budget and to authorize the necessary appropriations. The financial powers of boards and districts vary greatly and may include establishing fees or user charges; incurring indebtedness, with or without a vote the electors; and buying, leasing, and selling property. Those boards which have the authority to set their own budgets within the limits prescribed by state law are as follows:

<u>CITATION</u> <u>R.C.M., 1947</u>	<u>BOARD OR DISTRICT</u>	<u>MILL LEVY</u> <u>LIMIT</u>
1-916	Airport Authority	2 Mills
9-209	Public Cemetery District	2 Mills*
80-3414	Conservancy District (bonded indebtedness)	2 Mills 3 Mills
16-4309	Public Hospital District	3 Mills
89-1804	Irrigation District	No Limit
70-418	Television District	Up to \$15 per year per TV owner
11-4508	Urban Transportation District	12 Mills
16-4528	County Water and Sewer District	No Limit

\* May be raised to 5 mills by 1977 Legislature.



## CHAPTER V

### DESCRIPTIONS OF SPECIFICALLY AUTHORIZED BOARDS AND DISTRICTS, BASED ON STATUTORY PROVISIONS

NAME: AIR POLLUTION CONTROL BOARDS (1967)

FUNCTION: Administrative

FORMATION: A municipality or county may establish a local air pollution control program on being petitioned by fifteen percent (15%) of the qualified electors in its jurisdiction and may thereafter administer the program. Provisions of administrative organization and staff are included in the air pollution control program which must be approved by the board of health and environmental sciences after a public hearing. A municipality or county may administer all or part of its program in cooperation with one or more municipalities or counties in this state or other states.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: The air pollution control program provides for the financial and other resources necessary to effectively and efficiently carry out the program. The state may provide up to 30% of the locally funded annual operating cost of the program. A city or county may apply for, receive, administer and expend any federal aid for the control of air pollution control, but the board of health and environmental sciences must first approve the application.

POWERS: To administer an approved air pollution control program within boundaries, if any, determined by the board of health and environmental sciences. The local program must have requirements compatible with, more stringent than, or more extensive than those provided by the state law or requirement.

REPORTS:

STATUTES: (Title 69, Chapter 39, especially 69-3919 and 69-3920, R.C.M., 1947)

RELATED STATE AGENCIES: Board and department of health and environmental sciences: the board holds hearings, approves programs and approves applications for federal aid; the department provides technical and consultative assistance to local programs.

of any municipality having a population in excess of ten thousand may by resolution covenant that at any time all revenues are insufficient to pay the principal or interest then due, the municipality will levy a general tax upon all the taxable property in the municipality at a rate sufficient to produce the amount of the deficiency. A special election must be held on any such resolution and a majority of those voting must favor the resolution.

An authority may accept and spend federal, state, or private monies to accomplish its purposes. Airport authority property and income are exempt from taxation. Municipalities may aid and cooperate with the authorities they have created.

Every city or county or airport authority which constructs, operates or maintains, individually or jointly, a public airport with funds contributed in whole or in part, directly or indirectly, by the state, county, city or other public authority, may charge a service charge not to exceed two dollars a day for each passenger emplaning. All service charges collected are deposited in the appropriate airport fund.

Joint board: a joint fund is created and maintained by the constituent public agencies as provided by the joint agreement and includes federal, state or other grants, loans and revenues obtained from the facilities.

POWERS: Authority: An airport authority has all the powers necessary to perform its functions including, but not limited to, the following: to sue and be sued; to have a seal; to have perpetual succession; to execute contracts; to plan, establish, acquire, develop, equip, maintain, operate, improve, regulate, and protect airports and air navigation facilities within this state and any adjoining state; to acquire property including land in the hazard area and existing airports or air facilities by purchase, gift, devise, lease or eminent domain proceedings; to establish comprehensive airport zoning regulations; to establish or acquire and maintain airports in, over, and upon any public waters of the state; and to dispose of airport property.

The authority may enter into contracts or leases for up to thirty years and may grant to any qualified persons the privilege of operating as a public airport any airport owned or controlled by the authority.

An authority is authorized to adopt, amend and repeal whatever resolutions, rules, regulations and orders it considers necessary for the management, government, and use of any airport or air navigation or facility owned by it or under its control. All powers and

privileges of an airport authority may be exercised jointly with any public agency of this state, any adjoining state or the United States; any two or more public agencies may enter into agreements with each other for joint action.

Joint board: As agent of the participating public agencies, the joint board may be authorized to exercise all the powers of each with respect to the airport, air navigation facility or airport hazard, subject to the following limitations:

1) The constituent public agencies on or before June 10 must approve the budget of the board for the following calendar year.

2) The approval of the governing bodies of the constituent public agencies is required for the acquisition of any property the cost of which exceeds that fixed by the joint agreement or allotted in the annual budget.

3) Eminent domain proceedings may be instituted by the joint board only by authority of the governing bodies and in their names; any property acquired through such proceedings is held by the constituent public agencies as tenants in common.

4) The governing bodies must consent to the disposal of any real property by the joint board; however, the board may enter into contracts and leases.

5) Any resolutions, rules, regulations or orders of the joint board concerning air facility operation and use privileges can become effective only upon the approval of the governing bodies of the constituent public agencies.

REPORTS: The authority shall keep on file at its principal office a copy of all its rules and regulations.

STATUTES: [1-901 to 1-927, R.C.M., 1947], see also [1-1002, R.C.M., 1947]

NOTE: RELATED STATE AGENCY: Division of Aeronautics.

NAME: MUNICIPAL AND REGIONAL AIRPORT AUTHORITIES AND THE  
JOINT BOARD OF AIRPORT AUTHORITIES (1971) (Board  
mandatory under certain circumstances)

FUNCTION: Municipal authorities: Administrative  
Regional authorities: Administrative  
Joint board of authorities: Administrative

FORMATION: Municipal authority: Any municipality may by resolution of its governing body create a municipal airport authority, or the governing body itself may by resolution determine to exercise the powers of the authority. In this context "municipality" refers to any village, town, city, county or other political subdivision, public corporation, authority or district in this state authorized by law to acquire, establish, maintain, improve and operate airports and air navigation facilities. (1-102, R.C.M., 1947)

Regional authority: Two or more municipalities may by joint resolution create a regional airport authority. Municipalities may be added to the regional authority if all of the municipalities involved and the commissioners of the authority adopt a joint resolution favoring the inclusion of the additional municipality. A municipality may also withdraw from the authority with the consent of each municipality and of the authority commissioners; they must make provision for the retention or disposition of the assets and liabilities of the municipality. Prior notice is to be published of the public hearing which must be held on the resolution.

Joint board: ("Public agencies" include municipalities and airport authorities of this state, any agency of state or federal government, and any municipality, political subdivision or agency of an adjoining state.) Public agencies acting jointly under the laws governing airport authorities are to create a joint board which consists of members appointed by the governing body of each participating public agency, as provided in the joint agreement.

MEMBERS: Municipal authority: five commissioners or the governing body of the municipality.

Regional authority: not less than five commissioners, the number to be provided in the resolution.

Joint board: number provided for in joint agreement.

#### QUALIFICATIONS:

METHOD OF APPOINTMENT: Municipal authority: the governing body appoints the five commissioners, except when the governing body itself acts as the authority.

Regional authority: appointed as agreed upon in the resolution.  
Joint board: appointed by the governing body of each participating public agency.

DATE OF APPOINTMENT:

TERM: Municipal authority: Originally appointments are for one, two, three, four, and five years; thereafter, five years, overlapping. Or, governing body: coterminous with term of office.  
Regional authority: as provided in the resolution creating the authority.  
Joint board: as provided for in the joint agreement creating the board.

FILLING VACANCIES: Municipal authority: by the governing body.

Regional authority:

Joint board:

COMPENSATION: Authorities: necessary expense, including travel expenses, incurred in the discharge of duties. Also, regional authority: compensation as provided in the resolution creating it.  
Joint board: compensation, if any, provided for in the joint agreement.

OFFICERS: Authorities: The commissioners elect a chairman and vice-chairman from among their members.  
Joint board: The joint board selects officers for such terms as are fixed by the agreement.

MEETINGS:

FINANCE: Authorities: An airport authority may create a sinking fund of up to \$5,000,000 for the use, repairs, maintenance and capital outlays of an air navigation facility.

An authority has the power to certify annually to the governing bodies creating it the amount of tax to be levied by them for airport purposes.

Taxes may not exceed the permitted maximum levy (2 mills) or a lower levy set by the municipality or municipalities in the resolution creating the authority.

An authority may borrow money and issue bonds for any of its corporate purposes, including refunding bonds, payable out of any revenues of the authority. The bonds may be issued by resolution or resolutions of the authority without an election and without limitation of amount except as required by estimated revenues. The bonds may be sold at public or private sale; interest rates must not exceed ten percent a year. The governing body

NAME: CITY OR COUNTY AIRPORT BOARD (1929)

FUNCTION: Administrative

FORMATION: The city or county commissioners may vest control of airport facilities in an officer, board or other municipal agency.

MEMBERS:

QUALIFICATIONS: Inhabitant [1-803].

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: The county and/or city may levy up to two mills, but not more than two mills may be levied against anyone.

POWERS: (Prescribed by resolution.)

REPORTS:

STATUTES: [1-303 to 1-814 R.C.M., 1947]

NOTE: RELATED STATE AGENCY: Division of Aeronautics.

NAME: JOINT AIRPORT BOARD (1929), (1947: mandatory under certain circumstances.)

FUNCTION: Administrative.

FORMATION: Two or more public agencies may enter into an agreement for joint operation of an airport by concurrent action by ordinance, resolution, or otherwise of the governing bodies.

MEMBERS: Determined by joint agreement.

QUALIFICATIONS:

METHOD OF APPOINTMENT: Appointed by governing body of each participating public agency.

DATE OF APPOINTMENT:

TERM: Determined by joint agreement.

FILLING VACANCIES:

COMPENSATION: Determined by joint agreement.

OFFICERS: Elects own officers; or determined by agreement.

MEETINGS:

FINANCE: [1-803; 1-821]

POWERS: [1-821(c); 1-821(d)]

REPORTS:

STATUTES: [1-803; 1-821, R.C.M., 1947]



NAME: AIRPORT BOARD OF ADJUSTMENT (1947) (Mandatory under certain circumstances.)

FUNCTION: Administrative review.

FORMATION: Airport zoning regulations are to provide for a board of adjustment.

MEMBERS: Five.

QUALIFICATIONS: Must not be a member of zoning administration agency.

METHOD OF APPOINTMENT: Provided for by council. Removable for cause by appointing authority upon written charge after public hearing. City board of adjustment can be designated as airport board of adjustment.

DATE OF APPOINTMENT:

TERM: Three years.

FILLING VACANCIES: Vacancies filled for unexpired terms.

COMPENSATION:

OFFICERS:

MEETINGS: At call of chairman, and at other times as the board may determine.

FINANCE:

POWERS: [1-716; 11-2707]

REPORTS:

STATUTES: [1-716 to 1-718; 11-2707, R.C.M., 1947]

NAME: JOINT AIRPORT ZONING BOARD (1947)

FUNCTION: Regulatory.

FORMATION: When airport hazards are located outside the territorial limits of the political subdivision owning the airport both subdivisions may by resolution or ordinance create a joint airport zoning board.

MEMBERS: Two representatives appointed by each political subdivision and chairman elected by members.

METHOD OF APPOINTMENT: Two members appointed by each political subdivision.

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS: Chairman elected by majority of appointed members.

MEETINGS:

FINANCE:

POWERS: Adopt, administer and enforce airport zoning regulations applicable to the airport hazard area.

STATUTES: (1-712; 1-714, R.C.M., 1947)

NAME: AIRPORT ZONING COMMISSION (1947) (Mandatory under certain circumstances.)

FUNCTION: Advisory.

FORMATION: A political subdivision having an airport hazard area within its limits or a joint airport board of two political subdivisions must appoint this commission prior to the original zoning of any airport hazard area.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT: By political subdivision or joint airport zoning board. Where a city planning commission or a comprehensive zoning commission already exists, it may be appointed as the airport zoning commission.

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE:

POWERS:

REPORTS:

STATUTES: [1-714, R.C.M., 1947]

NAME: COUNTY BUILDINGS AND IMPROVEMENTS MANAGEMENT  
COMMISSION (1931)

FUNCTION: Administrative

FORMATION: The board of county commissioners has the power to create a commission for the management of the civic center, youth center, park buildings, museums, county parks, recreation centers, hospitals or any combination of these.

MEMBERS: Chairman of the board of county commissioners, senior district judge, mayor of city, chairman of school board, and five (5) lay appointees.

QUALIFICATIONS: Lay persons

METHOD OF APPOINTMENT: Board of county commissioners appoints five (5) persons in addition to the chairman of the county commissioners and others designated.

DATE OF APPOINTMENT:

TERM: Initially, one for one year, two for two years, two for three years; when these terms expire appointments are made for three years each.

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE:

POWERS: The commission is created to manage the civic center, youth center, park buildings, museums, county parks, recreation centers, hospitals, or any combination of these. The commission together with the board of county commissioners shall have the power to employ a manager.

REPORTS:

STATUTES: [16-1008A, R.C.M., 1947]

NAME: PUBLIC CEMETERY DISTRICT BOARD OF TRUSTEES (1943,  
(Board mandated if district created.)

FUNCTION: Administrative

FORMATION: At least 20% of the citizens who are owners of the land within the proposed cemetery district present to the board of county commissioners a petition which describes the boundaries of the district. The commissioners provide public notice of the date set for a hearing or hearings on the creation of the district and on its boundaries. When the board of county commissioners has finally defined the boundaries of the district it arranges an election on the question of whether or not to form the cemetery district. If a majority of the votes cast favor formation of the district, the county commissioners appoint a board of trustees to govern and manage the district.

MEMBERS: Three

QUALIFICATIONS: Freeholders residing within the district.

METHOD OF APPOINTMENT: The board of county commissioners appoint three trustees for three year overlapping terms.

DATE OF APPOINTMENT: Annually

TERM: Three years

FILLING VACANCIES:

COMPENSATION: Per diem and mileage of cemetery trustees may be set by resolution of the board of county commissioners.

OFFICERS: (There is no specific provision for officers, but the statutes concerning the permanent care fund trustees refer to the duties of the district board's secretary and treasurer.)

MEETINGS:

FINANCE: The county commissioners must annually levy an amount sufficient to meet the budget requirements of the cemetery district board of trustees, up to two mills, which is deposited with the county treasurer in a public cemetery district fund. A permanent care and improvement fund is established for the care, maintenance and improvement of the cemetery; this fund is managed by a separate board of trustees appointed by the district judge from nominations by the cemetery district board of trustees. The trustees of the district must approve each investment of permanent care and improvement funds made by the trustees of the fund.

POWERS: The trustees govern and manage the district which holds title to and may lease or sell its property.

REPORTS: The cemetery district board annually presents a budget to the county commissioners.

STATUTES: (9-201 to 9-230, R.C.M., 1947). See also: Board of Trustees of Permanent Care and Improvement Fund.

NAME: BOARD OF TRUSTEES OF PERMANENT CARE AND IMPROVEMENT FUND (1955) (Trustee or trustees mandatory under certain circumstances.)

FUNCTION: Administrative

FORMATION: From a list of nominees submitted by the public cemetery district board of trustees, the district judge appoints from one to five trustees of the permanent care and improvement fund.

MEMBERS: One to five

QUALIFICATIONS: Citizens and freeholders of the state of Montana or any bank which is authorized under state or federal law to act as a trust company in Montana.

METHOD OF APPOINTMENT: By district judge from list of nominees submitted by the board of trustees of the public cemetery district.

DATE OF APPOINTMENT:

TERM: Three years

FILLING VACANCIES: The district judge appoints trustees from a list of nominees, as with original appointments, of the cemetery district. If trustees fail to request the district judge to appoint trustees of the fund, or if all fund trustee positions should be vacated the powers and rights of the trustees of the fund are vested in the district court, in which case any interested person may request the court to appoint trustees of the fund.

COMPENSATION: The board of trustees of the fund may receive up to \$100 a year the amount agreed on by the fund trustees and the cemetery district trustees.

OFFICERS: The secretary of the cemetery district acts as the secretary of the board of trustees of the fund.

MEETINGS:

FINANCE: The trustees of the cemetery district annually transfer to the permanent care fund from 15% of the money received from the sale of permanent care lots and all moneys received from their owners for the care of these lots. By a two-thirds vote the district trustees may assign any of their unexpended moneys to the permanent care and improvement fund up to \$5,000 per acre of cemetery and excluding money paid by owners for the care of the lots which is kept separately. The principal of the fund may be invested in the way public employees retirement funds are invested in Montana with approval of each investment by the trustees of the cemetery district.

The principal of the fund is to remain in tact but the income from the fund is turned over to the treasurer of the cemetery district semi-annually.

- POWERS: All title to the funds and all rights, powers, authorities, franchises and trusts which accompany it are vested in the board of trustees of the fund.
- REPORTS: The secretary of the fund who is also secretary of the district keeps a full record of the proceedings of the trustees of the fund. Annually on the first day of January the trustees of the fund report to the trustees of the district on the condition of the fund. Their report is kept by the secretary of the district and by the clerk of the district court and is available for inspection by anyone owning an interest in a lot in the cemetery cared for by the fund.
- STATUTES: (9-216 to 9-230, R.C.M., 1947)
- RELATED STATE OR OTHER AGENCIES: District Court.



NAME: LOCAL ORGANIZATION FOR CIVIL DEFENSE (1951) Mandatory

FUNCTION: Performance of civil defense functions within the political subdivision.

FORMATION: Each political subdivision of the state is to establish a local organization for civil defense in accordance with the state civil defense plan and program.

MEMBERS: (Statutes do not specify a board.) Civil defense director, air raid wardens, rescue teams, auxiliary fire and police personnel and other civil air defense workers.

QUALIFICATIONS: May not advocate change by force or violence of any government in the United States and may not be under indictment or conviction for subversive activity. Must take an oath of allegiance.

METHOD OF APPOINTMENT: The executive officer or the governing body may appoint a civil defense director. Each political subdivision shall appoint or employ voluntary air raid wardens, rescue teams, auxiliary fire and police personnel, and other civilian defense workers.

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION: May be set by political subdivision.

OFFICERS: Civil defense director is responsible for organization, administration and operation of local organization, subject to the direction and control of the executive officer or governing body.

MEETINGS:

FINANCE: Each political subdivision shall budget for and appropriate funds for the local administration and organization of civil defense.

POWERS: Perform civil defense functions, subject to direction of political subdivision and in accordance with state and federal plans and policies.

REPORTS:

STATUTES: (77-2301 thru 77-2311, especially 77-2307, R.C.M., 1947)

RELATED STATE AGENCIES: Department of military affairs.

NAME: CIVIL SERVICE BOARD (1971)

FUNCTION: Regulatory, investigatory, and quasi-judicial.

FORMATION: Commission may appoint; board may be abolished by resolution of commission.

MEMBERS: Three

QUALIFICATIONS: Electors; may not hold any other public office.

METHOD OF APPOINTMENT: By commission.

DATE OF APPOINTMENT: First day of January.

TERMS: Six years, overlapping.

FILLING VACANCIES: Filled by commission for unexpired term.

COMPENSATION: Determined by commission.

OFFICERS: Board elects chairman and appoints a chief examiner who acts as secretary.

MEETINGS:

FINANCE:

POWERS: Subject to approval of commission: board adopts, amends, and enforces a code of rules and regulations providing for appointment and employment of all classified positions and, by ordinance, sets penalties for violation of civil service provisions. Code has force and effect of law. Makes related investigations. Sets and holds hearings on appeals by employees. May subpoena and require attendance of witnesses, and production of records; may administer oaths.

REPORTS: Annual report to commission.

STATUTES: (11-3272 thru 11-3285, R.C.M., 1947)

NAME: COMMUNITY COUNCILS (1975)

FUNCTION: Advisory.

FORMATION: Depending on its adopted form of government, a local government either shall have community councils elected by district or may have community councils as authorized by ordinance.

MEMBERS: At least 3 within each commissioner district or as authorized by ordinance.

QUALIFICATIONS:

METHOD OF APPOINTMENT: Elected by district or as authorized by ordinance.

DATE OF APPOINTMENT:

TERM: Not to exceed 4 years; may be established when form of government is adopted.

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE:

POWERS: Advise commissioners.

REPORTS:

STATUTES: (47A-3-203 thru 47A-3-206, R.C.M., 1947)

NAME: CONSERVANCY DISTRICTS (1969) (Board mandatory if district created.)

FUNCTION: Administrative

FORMATION: Conservancy districts can be formed either at the initiative of 10 percent of the residents of the proposed district or at the initiative of the department of natrual resources. In either case the rather long procedure for creating a conservancy district requires a preliminary survey; a feasibility study and report; public notice and public hearings; a petition signed by the owners of at least 51 percent of the unincorporated land and at least 5 percent or 100, whichever is the lesser, of the persons who would qualify as electors within an incorporated municipality; and an election at which at least 51 percent of the eligible electors vote with a majority of them voting in favor of organizing the district.

There are procedures for the merger of districts, for the annexation and exclusion of territory, and for the dissolution of the district.

MEMBERS: The district court establishes at between three and eleven the number of directors for the conservancy district.

QUALIFICATIONS: Electors within the district.

METHOD OF APPOINTMENT: By district court.

DATE OF APPOINTMENT:

TERM: Initially for 1, 2, and 3 years; thereafter, for three year overlapping terms.

FILLING VACANCIES: The district court fills all vacancies by appointment.

COMPENSATION: Fixed by district court.

OFFICERS: The directors select from among themselves a chairman, vice-chairman, secretary, and other necessary officers.

MEETINGS: Regular meetings as established by directors and special meetings upon call of chairman or any two members with three days notice of time, place and purpose of meeting (except in case of emergency.)

FINANCE: [89-3414 to 89-3419]

POWERS: [89-3414; 89-3420]

REPORTS: Before August of each year the directors send an annual written report of their activities during the previous fiscal year to the district court and to the department of natural resources and conservation. At least once each year the department of intergovernmental relations (as of July 1, 1975, the department of community affairs), is to examine the financial records of the district and file a report with the department of natural resources and conservation and the district court.

STATUTES: [89-3401 to 89-3449, R.C.M., 1947]

NOTES: RELATED STATE AGENCIES: primarily the district court and the department of natural resources and conservation, also the fish and game commission, the department of health and environmental sciences, the department of community affairs, and other affected water resource agencies. The board of supervisors of any overlapping conservation district is to be consulted in the procedure to form the conservancy district.

To date no conservancy districts have been formed in Montana.

NAME: CONSERVATION DISTRICTS (formerly soil and water conservation districts) (1939) (Board mandatory if district created.)

FUNCTION: Conservation districts exist to promote and assure the conservation of soil and soil resources, the control and prevention of soil erosion and flood-water and sediment damages, and the conservation, development, utilization, and disposal of water. The purpose of their work is "to preserve natural resources, control floods, prevent impairment of dams and reservoirs, preserve wildlife, protect the tax base, protect public lands and promote the health, safety, and general welfare of the people of this state." (76-102) District supervisors advise, administer, conduct research and projects, furnish assistance, and formulate land-use plans and regulations.

FORMATION: District: Any ten qualified electors within the proposed district may file a petition with the department of natural resources asking that the board of natural resources approve the organization of a conservation district. The petition provides the proposed name of the district, states that there is need for the district, describes the territory to be included and requests that the board define the boundaries of the district and that a referendum be held within the proposed district. After giving due notice the department holds a hearing on the questions of the desirability and necessity of the district and its appropriate boundaries on the propriety of the petition and the required proceeding. The board then determines the need for the district and defines its boundaries, which need not be contiguous. The department, giving due notice, holds a referendum so that the qualified electors within the proposed district may vote on its creation. The board publishes the result of the referendum, decides whether the district is administratively practicable and feasible, considers the attitudes and numbers of voters, and, provided a majority of those votes cast favored the district, may then proceed to organize the district.

Two supervisors appointed by the department file with the secretary of state an application and statement declaring the name of the district and the results of the requisite steps taken for its creation. When the secretary of state records the application and statement, the district comes into existence as a governmental subdivision of the state and a public body corporate and politic.

Board of Supervisors: Initially, the department of natural resources appoints two supervisors to work with the three elected by the district as the governing body of the district. As the terms of the department appointees expire, their replacements are elected. In addition to the five elected supervisors, two supervisors may be appointed by any municipalities included in the district.

MEMBERS: Five or seven.

QUALIFICATIONS: a) Supervisors appointed by the department.  
b) Elected supervisors.  
c) The appointed supervisors from included municipalities must be residents of the municipalities.

METHOD OF APPOINTMENT: Two appointed by department of natural resources, originally; their replacements are elected. Three elected by qualified electors of district. Two appointed by legislative bodies of included municipalities after consultation with the elected supervisors.

DATE OF APPOINTMENT  
OR ELECTION:

TERM: Three years, except that supervisors who are first appointed shall be designated to serve for one and two year terms.

FILLING VACANCIES: Elected supervisors: Any vacancy occurring in the office of an elected supervisor is to be filled by appointment by the remaining supervisors until the next regular election, when a successor is to be elected to serve the unexpired term.

COMPENSATION: A supervisor receives no compensation but he is entitled to necessary expenses, including traveling expenses.

OFFICERS: The supervisors annually elect a chairman from their members; they may employ a secretary and such other officers as they may require. The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program or policy which may affect the property, water supply, or other interests of the municipality or county.

## MEETINGS:

### FINANCE:

The district may request the county commissioners to levy a regular assessment of up to 1½ mills within the district and a special assessment of up to 3 mills for a project area. The assessments are apportioned among the counties included in the district or among the project areas. For an unusual or unforeseen cause, the district may borrow money or request the county commissioners to issue and register warrants on their behalf. The supervisors may issue bonds if a majority of the votes cast at an election on the question favor the indebtedness. Supervisors may create a sinking fund through investing in interest-bearing securities. They may also invest any surplus funds of the district, except county tax funds, in federal, state, county, or city interest-bearing bonds or securities. Part of the expenses of a conservation district are paid by the state as distributed by the department of natural resources, which also pays the cost of the elections involved. The district may acquire, sell or lease property and may use the income from the property for the purposes for which the district was authorized. District property is exempt from state and local taxes. The supervisors fix and may expend revenues from fees, rents or other charges for services, facilities or materials provided by the district. The district may accept and expend contributions in money, services, and materials from federal or state government or their agencies.

### POWERS:

The district or its supervisors are authorized to perform or participate with other agencies in a broad range of functions: conduct surveys, investigations, and research; disseminate information and advice; furnish financial, technical, or material assistance; conduct and administer district, state, or federal projects; and to develop comprehensive land-use plans and formulate land-use regulations which the qualified electorate of the district may enact into law. The supervisors may borrow money and incur indebtedness; cause taxes to be levied; acquire, sell, or lease property, and fix rates and rents. The district may manage, or take over by purchase, lease or otherwise any soil-conservation, flood-prevention, drainage, irrigation, water-management, erosion-control, or erosion-prevention project undertaken by the state or federal governments or their agencies, or the district may act as agent for these governments. The supervisors may sue and be sued; make and execute contracts; and make, amend, and repeal rules and regulations to effect the purposes for which the district was authorized. The supervisors may employ and set compensation for whatever staff and agents they require. Conservation districts administer the 1975 streambed preservation act.



REPORTS: The supervisors furnish to the department of natural resources copies of the ordinances, rules, regulations, orders, contracts, forms, and other documents or information that they adopt or employ. The secretary of state records the application and statement made in creating the district.

STATUTES: (76-101 to 76-117 and 76-201 to 76-233, R.C.M., 1947.)

NOTE: RELATED STATE AGENCIES: Board and department of natural resources; secretary of state.

OTHERS, NON-STATUTORY: Resource conservation advisory council (8 members; adv. to DNRC): Montana association of conservation districts.

Municipalities and counties alone or jointly may engage in flood control or water conservation projects within the limits of the municipality or county to protect or reclaim property from floods and to conserve, develop, store, distribute, drain and utilize water for purposes beneficial to the district including industrial and municipal water supply, recreation and wildlife, irrigation, stream flow stabilization, household and domestic use and pollution abatement [Title 89, Ch. 33].

The district may be established without a vote; but it cannot be extended into an area proposed to be annexed without favorable vote by a majority of the electors residing in such an area [89-3301].

The statute contemplates that the actual direction of the project will be assumed by the state or the federal government and that the municipality or county will provide the cost of the right-of-way not met by the federal government [89-8306].

Municipalities and counties may acquire property for these purposes [89-3303], accept federal, state or private assistance [89-3304], allocate a portion of the street or road fund to acquire right-of-way [89-3308], and issue general obligation bonds for the cost of improvements after approval by the voters in an election [89-3312].

Maintenance of completed works may be assumed by municipalities and counties [89-3307]. Street or road funds [89-3308], special assessments on property benefited [89-3309], or charges for service rendered or facilities provided [89-3309] may be used to provide funds for the operation and maintenance of the system.

STATUTES: [89-3301 to 89-3314, R.C.M., 1947]

NAME: COUNTY DISASTER COMMITTEE (1967)

FUNCTION: To determine when an emergency exists.

FORMATION:

MEMBERS:

QUALIFICATIONS: The members of the agricultural stabilization and conservation county committee of the county involved; the county commissioners and mayor or mayors of the county; the office manager of the soil conservation service office in the county; the county agricultural extension agent; up to two other persons appointed by the county commissioners.

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE:

POWERS: The county disaster committee shall determine by majority vote when an emergency exists. Upon the determination that an emergency does exist, they shall submit a resolution to the mayor or mayors of municipalities in the county and to the chairman of the county commissioners. (Further action proceeds from the mayors, councils and board of county commissioners, including resolution(s) that an emergency exists, a statement in their minutes concerning the facts constituting the emergency, and an estimation of expenditures and levy of up to two mills within the municipalities and two mills within the county outside the cities with a later additional levy permissible up to the total of 2 mills in any one year. Any levy requires the unanimous vote of the city council or county commission, which must also approve every expenditure of revenue from the millage. An event shall not be determined to be an emergency more than two weeks after the occurrence of the event.)

REPORTS: Resolution to mayors and county commissioners that an emergency exists.

STATUTES: (11-4301 to 11-4306, R.C.M., 1947)

NOTE: Related Agencies, see "Qualifications".

NAME: DRAINAGE DISTRICTS (1921; previously, 1905) (Board mandatory if district created.)

FUNCTION: The commissioners of a drainage district administer its affairs with the approval of the district court. A drainage district is organized to benefit or reclaim lands through planning, constructing and maintaining a drainage system. The district may also decide to cooperate with other entities in projects or programs pertaining to flood prevention and the conservation, development, and disposal of water.

FORMATION: A majority of the adult landowners who represent one-third of the affected land area of the proposed district or the adult owners of more than one-half of the affected lands petition the district court for the organization of the district and the appointment of commissioners. The petition describes proposed or existing works and the area to be included in the district. The territory of the district may include areas in more than one county and need not be contiguous. The clerk of the court provides public notice of the time and place set for the hearing with descriptions of the routes, works, and boundaries; or, instead of a public notice, landowners may be given personal notice at their last usual abode. The statutes include provisions for contesting the procedures for creating a district as well as provisions for dissolving the district.

The district court judge divides the drainage district into three divisions and appoints a commissioner from each and fixes their temporary bonds. The appointed commissioners must make and file a preliminary report on the necessity or utility, desirability, and boundaries of the drainage district. If the plan of work in the petition is not best suited to carry out the purposes of the petition, the commissioners base their report on, and propose to the court, the preferable plan. The court, after due notice, holds a public hearing on the preliminary plan. If petitions, plans, and issues arising from the plan receive the court's approval, the court confirms the preliminary report and declares that the district is organized and is a body corporate.

MEMBERS: Three

QUALIFICATIONS: Suitable and competent persons; landowner and resident of the county or counties in the division for which he is appointed. If the district is situated in two or more counties, not more than two of the three commissioners shall reside in one county.

METHOD OF APPOINTMENT  
OR ELECTION: Initially, the district judge appoints one commissioner from each of three divisions of the drainage district; they serve until the following first Tuesday

in May. Their successors are elected on the first Tuesday in April. Title holders to lands within the district who are qualified electors or guardians, administrators, executors, and trustees residing in the state or domestic corporations may vote in district elections. Each elector may cast one vote for each 40 acres of land or major fraction thereof owned by the elector, and each elector owning 20 acres or less is entitled to one vote.

**DATE OF APPOINTMENT:** Commissioners are elected annually on the first Tuesday in April.

**TERM:** Three years, overlapping (initially determined by lot; one commissioner serves for one year, another for two years and the third for three years; thereafter commissioners are elected to three year, overlapping terms ending on the first Tuesday in May of the appropriate year.)

**FILLING VACANCIES:** The remaining members of the board appoint a qualified elector from the division for which the vacancy exists to hold office for the unexpired term. If the remaining board members fail to fill a vacancy or if no election is held the district judge, if petitioned by 10 per cent of the land-owners of the district, appoints whoever the petition designates to fill the vacancy.

**COMPENSATION:** Such compensation as the district judge may determine and their actual, reasonable expenses.

**OFFICERS:** The commissioners elect one of their number president and elect a secretary, who may or may not be a commissioner. (They also appoint one or more attorneys and a competent civil and drainage engineer to assist them. The drainage engineer may employ assistants and, with the approval of the court, may employ a consulting engineer.)

**MEETINGS:**

**FINANCE:** If they are benefited by a drainage district that district may assess individual, corporate, and public landowners, including railroad companies, villages, towns and cities, counties, other drainage districts and state lands. The county treasurer of the county in which the court is located collects district taxes or assessments and acts as custodian of district funds. The commissioners are authorized to borrow money within prescribed limits on amount and period of indebtedness. Contracts for more than twenty-five hundred dollars must be let for bid.

**POWERS:** The commissioners of a drainage district are under the control of the court or presiding judge. They constitute the corporate authority of the district. They are ins-

trusted to make a series of reports to the district court and, upon the court's approval, to carry out the work specified in the reports. They are also authorized to perform emergency repairs without prior court approval. The commissioners may lay out, construct, inspect, improve, and repair the approved drains, ditches, levees and embankments and have right of entry to the adjacent lands for these purposes.

Commissioners may initiate procedures to include benefited lands in the district. Commissioners or at least 40 per cent of the landowners may petition for alteration or addition to the existing drainage system. Owners of land not contributing to the need for the district or benefiting by it can initiate proceedings to exclude those lands from the district. Public or individual notification and public hearing follow filing of most petitions and a subsequent appeal procedure is usually established.

Drainage districts which choose to do so may exercise additional powers which enable them to cooperate with political subdivisions of the state and with state and federal agencies, other organizations and individuals for the purpose of participating in projects or programs authorized by federal laws pertaining to flood prevention and the conservation, development, utilization, and disposal of water. The districts are authorized:

- 1) To adopt necessary regulations, policies, and procedures to carry out necessary measures.
- 2) To cooperate with, enter into agreements with and receive financial and other assistance from public bodies, other organizations and private landowners.
- 3) To construct, operate, and maintain needed works of improvement.
- 4) To acquire lands, easements, and right of way.
- 5) To enlarge boundaries or to construct additional needed works of improvement outside their boundaries.
- 6) To make assessments and issue bonds for carrying out these projects and programs.

In the exercise of these additional powers notice to the interested parties and the approval of the district court are usually required.

**REPORTS:** After the preliminary report has been confirmed (see section on formation of the district), the commissioners prepare another report which includes the necessary levels and surveys; a work plan; a map and plans and specifications; confirmation or proposal of proper and feasible

starting points, routes, termini, and boundaries; identification of injured lands and the amount of damages; costs including construction and upkeep; assessments and apportionment of costs according to benefits and damages; assessments and special benefits to tracts, lots, and private and public corporations; maps. This report is filed with the clerk of district court, who provides public notice and mails notice to owners of assessable land including information from the report and the time and place set for public hearing. The commissioners may at any time file a supplemental report also subject to public notice and public hearing. The district court makes the final decision whether to require modification of a report and whether or not to confirm it, thereby authorizing the proposed work and related assessments.

On or before the first Tuesday of March of each year the commissioners file with the clerk of court a report which specifies the emergency repairs made during the preceding year and subsequent repair needs and all related expenses and required assessments. The court may at any time require the commissioners to make a report on any matter connected with their duties as commissioners.

STATUTES: (Title 89, Chapters 22 to 28, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: District Court.

NAME: CITY-COUNTY ECONOMIC OPPORTUNITY AND POVERTY  
RELIEF COMMISSION (1965)

FUNCTION: Administrative

FORMATION: The county commissioners and the council or councils of a city or cities in that county may create a city-county commission to accept and expend federal funds for economic betterment and poverty relief and to cooperate with and make contracts and agreements with federal agencies to secure for Montanans funds available through Public Law 88-452 of the 88th Congress.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: Within the limits of the laws governing their respective authorities to raise and expend public moneys, local governments including school districts and other authorized agencies may budget for and/or expend public moneys in order to enter into and carry out contracts, agreements and plans under this act (Title 7, Chapter 16, R.C.M., 1947) and Public Law 88-452.

POWERS: Make contracts and agreements with federal agencies and accept and expend public and private funds made available to the city-county commission in order to effect economic betterment and the relief of poverty.

REPORTS:

STATUTES: (71-1601 to 17-1604, R.C.M., 1947)



NAME: ELECTION BOARDS (1969) (Mandatory)

FUNCTION: Administrative and quasi-judicial

AREA OF JURISDICTION: County: Election precincts within county. City: Election precincts within cities with a population of 3,500 or more.

FORMATION: County: commissioners appoint an election board for each precinct. If a precinct has 350 or more electors the commissioners may appoint a second board which may relieve the first board in the counting or tabulating of ballots. City: council appoints election judges and clerks.

MEMBERS: Five election judges and two clerks for each precinct with 200 or more electors. Three election judges and two clerks for each precinct with fewer than 200 electors.

QUALIFICATIONS: Chosen from lists of qualified voters submitted by the two major political parties; lists contain twice the number of judges and clerks to be appointed; appointee must be a member of the political party he is to represent; not more than a majority from one political party for each precinct. Exceptions and limitations are stipulated.

METHOD OF APPOINTMENT: County commissioners appoint the board, choosing from lists submitted by political parties; if no lists are submitted they appoint members at their own discretion. Registrar (county clerk and recorder) notifies appointees in writing.

DATE OF APPOINTMENT: At the regular meeting of the county commissioners preceeding the general primary election.

TERM: Until replacements are appointed.

FILLING VACANCIES: Commissioners fill vacancies.

COMPENSATION: Fixed by the county commissioners at the prevailing federal minimum wage and paid from county funds.

OFFICERS:

MEETINGS: As prescribed by duties.

FINANCE:

POWERS: Election judges and clerks aid in the conduct of elections in their precinct, including verifying electors, distributing and receiving ballots and canvassing votes. (Sections specifying the duties

of the judges and clerks are interspersed throughout Title 23, Chapters 32 to 40, R.C.M., 1947).

REPORTS: The election board sends in separate packets to the registrar of the county, the pollbooks, tallysheets, precinct registers and ballots as they appear after votes have been cast and canvassed.

STATUTES: (Title 23, Chapters 32 to 40, R.C.M., 1947).

NOTE: The election board is exceptional in that before serving, election judges and clerks are required to receive instruction in the powers, duties, and liabilities of election judges, thereby obtaining a certificate of instruction which is valid for two years.

RELATED STATE AGENCY: Secretary of State. (The 1975 Legislature created a Commissioner of Elections whose primary responsibilities have to do with campaign finance rather than with actual conduct of elections.)

NAME: BOARD OF COUNTY CANVASSERS (1969) (Mandatory)

FUNCTION:

FORMATION: The commissioners are ex officio a board of county canvassers.

MEMBERS: Three county commissioners.

QUALIFICATIONS: County commissioners or, failing that, the county treasurer, assessor, or sheriff.

METHOD OF APPOINTMENT: The county commissioners are ex officio a board of county canvassers.

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES: If one or more of the commissioners cannot attend the meeting, his place shall be filled by one or more county officers in this order: treasurer, assessor, sheriff.

COMPENSATION:

OFFICERS: The registrar is the clerk of the board of county commissioners.

MEETINGS: Within three days after each election at 8:00 a.m.

FINANCE:

POWERS: The board of canvassers conduct a public canvass by opening the election returns and determining the vote for each person and each proposition from each precinct and declaring the results. The clerk delivers to each person elected a certificate of election signed by him and authenticated with the seal of the board.

REPORTS: As soon as results are declared, the clerk of the board enters on the records the votes cast in the county, the names of persons voted for and propositions voted on, the office for which each person was voted, votes by precinct and by county for each person and for and against each proposition.

STATUTES: (Title 24, Chapter 23, especially 23-4009 to 23-4014, R.C.M., 1947.)

NAME: COUNTY FAIR COMMISSION (1903)

FUNCTION: Administrative

FORMATION: The board of county commissioners may appoint a county fair commission.

MEMBERS: Five

QUALIFICATION: Responsible persons well qualified to perform the duties of organizing and successfully carrying on the county fair. Preference in appointments is to be given the officers and, then, the members of a fair association, horticultural or agricultural society.

METHOD OF APPOINTMENT: County commissioners appoint the five (5) members of the fair commission.

DATE OF APPOINTMENT: Regular meeting in December.

TERM: Two year, overlapping terms; initially, three for two years, two for one year.

FILLING VACANCIES:

COMPENSATION: Each fair commissioner is to receive actual and necessary expenses while filling the duties of his office plus twenty-five dollars a year as compensation for his services. If the secretary is a member of the commission, it shall fix his salary in lieu of the stipulated twenty-five dollars.

OFFICERS: Fair commissioners elect a president and vice-president from their group; the county treasurer shall be ex officio treasurer; the commission appoints a secretary who may be a member of the commission.

MEETINGS:

FINANCE: The board of county commissioners may appropriate annually out of the general fund of the county treasury to the county fair commission up to \$3,500. In addition the county commissioners may levy up to 1½ mills on the taxable property in the county, which shall be kept in a separate county fair fund. The fair commission may lease fair buildings and grounds, revenue from which goes into the fair fund.

POWERS: County fair commissioners shall have control and operation of the fair and the supervision and management of the fairgrounds and also the leasing of buildings and fairgrounds.

REPORTS:

STATUTES: (16-1401 to 16-1407, R.C.M., 1947)

NAME: BOARD OF DIRECTORS OF FAIR DISTRICT (1931) (Board mandatory if district created.

FUNCTION: Administrative

FORMATION: Upon application from the regularly appointed county fair board, the board of county commissioners may by resolution declare its intention to join in and form a fair district. Notice of the resolution is published and a date set for hearing any objections of the taxpayers in the county. After hearing the objections, if any, the county commissioners may authorize the county fair board to join with any contiguous district and/or form a fair district with counties in a contiguous territory.

MEMBERS: The board of directors of a district fair is comprised ex officio of the members of the county fair boards of the counties forming a fair district.

QUALIFICATIONS: County fair board members.

METHOD OF APPOINTMENT: Members of county fair boards of participating counties serve ex officio as the board of directors of the fair district.

DATE OF APPOINTMENT:

TERM: (Same as for county fair board, i.e. two years)

FILLING VACANCIES:

COMPENSATION:

OFFICERS: The members of the board of directors of a fair district annually elect a chairman, vice-chairman and secretary for the board. They may employ a secretary and must appoint a treasurer, or they may combine the offices of secretary and treasurer.

MEETINGS: The board meets yearly during December to organize and subsequently as necessary for the conduct of the district fair. The board also meets during the first week of May of each year. During the first week of June the respective boards of county commissioners of the counties comprising the district meet jointly with the county fair commissioners to consider the fair district budget.

FINANCE: After subtracting its estimated income from revenues raised from the annual fair or other exhibitions, the district fair commissioners may apportion its revenue needs among the participating counties and request that the county commissioners levy up to one (1) mill on the taxable property in the county, except that the county where the fair is being held may levy up to one and one-

half (1½) mills. In addition, county fair commissioners may also decide to transfer to the district fair all money available to holding county fairs. The district fair fund constitutes a separate fund held and paid out by the treasurer of the county in which the district fair is held. The board of directors determines whether ownership of district property should be vested jointly in the counties comprising the district or in one county for the benefit of the district.

POWERS: The board of directors of the district fair decides where the district fairground is to be located and is responsible for the care and custody of all fair property. They have the power to acquire for the district whatever real or personal property is required and to do whatever is necessary to conduct district fairs, including hiring and fixing salaries of employees. They may also exercise the general powers granted to county fair commissioners.

REPORTS: At the district office the fair board keeps on file and available to the taxpayers of its counties all plans adopted by them for the conduct of district affairs. They provide an annual budget to the county commissioners for their suggested amendments or approval.

STATUTES: (62-1408 to 62-1414, R.C.M., 1947) See also: County fair commissioners.

NAME: RURAL FIRE DISTRICT BOARD OF TRUSTEES (1895)

FUNCTION: Administrative

FORMATION: Upon presentation of a petition signed by a majority of the taxpayers who are freeholders and the owners of at least 50% of the privately owned land area within the proposed district, the board of county commissioners will proceed with public notification and a public hearing and will decide within 30 days after the hearing whether to form the district. The county commissioners may either contract with a city, town or private fire company to furnish protection for the district, or the commissioners may appoint five trustees to govern and manage the district until their successors are elected and qualified.

MEMBERS: Five

QUALIFICATIONS: Same as for second class school district trustees; except that they must be electors who are taxpayers of the fire district.

METHOD OF APPOINTMENT: The board of county commissioners appoints five (5) trustees who serve until their successors are elected and qualified.

DATE OF APPOINTMENT: The date of election for fire district trustees is the same as for second class school district trustees: the first Tuesday of April.

TERM: Initially, two members are elected for three years, two for two years, and one for one year; their successors are elected for three year overlapping terms.

FILLING VACANCIES: The remaining trustees appoint a person to fill the vacancy until the next regularly scheduled election when a trustee is elected to serve the balance of the unexpired term.

COMPENSATION:

OFFICERS: Trustees choose a chairman and appoint one member to act as secretary.

FINANCE: The trustees prepare annual budgets and request special levies. The budget laws relating to county budgets apply to fire districts, as far as applicable. The county commissioners may levy a special tax upon all property within the district for the purpose of buying or maintaining fire protection facilities and apparatus for the fire districts or for paying a city, town or private fire service an amount provided by contract with the council of



the city or town or the private fire service in exchange for its providing fire protection to the district. Money received by the trustees from contracts for fire protection to be provided by the district fire company go into the fire district fund kept by the county treasurer.

POWERS: Trustees appoint and form fire companies and provide adequate and standard fire-fighting apparatus, equipment, housing and facilities. With the approval of the owners of 10% of the taxable value of the property in the district, the trustees may contract to receive and pay for fire protection from a city, town or fire district with a boundary within five miles of the district, whether it is in the same county or another one. The trustees may also contract for the district fire company to provide fire protection to public or private property in the same county or another one but within five miles of the district. For protection against natural or man-made disasters fire district trustees may enter into mutual aid agreements with the proper authority of other fire districts, unincorporated or incorporated municipalities, state agencies which have fire protection services, private fire prevention agencies or federal agencies.

REPORTS: The trustees prepare annual budgets for the district.

STATUTES: (11-2008 to 11-2010, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: State fire marshall bureau advises volunteer fire companies.

NAME: BOARD OF TRUSTEES OF THE FIRE DEPARTMENT RELIEF ASSOCIATION (1907) (Mandatory under certain circumstances.)

FUNCTION: Administrative.

FORMATION: A Fire Department Relief Association is to be formed and incorporated by members of fire departments (whether paid, part-paid, or volunteer) in municipalities, and in county seats whether incorporated or not, if fire fighting equipment has a value of \$750 or more.

MEMBERS: Five or seven [11-1910; 11-1913]

QUALIFICATIONS: Chief of Fire Department (ex officio), President of Fire Department Relief Association (ex officio), and three or five elected trustees.

METHOD OF APPOINTMENT: President of Fire Department Relief Association and elected trustees are elected by association.

DATE OF APPOINTMENT: Election is held on or before April 15 each year.

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS: In addition to electing the president and trustees who are members of the Board of Trustees, the Association elects a secretary and treasurer. The city clerk or treasurer may be chosen as the association's ex officio treasurer.

MEETINGS:

FINANCE: [11-1911 to 11-1930]

POWERS: [11-1914]

REPORTS: Trustees must audit the account of the association at least once every six months and report its condition to the next meeting of the association. The secretary and treasurer prepare an annual financial report and file it with the association and the state auditor. The books and accounts of the association are to be examined annually by the state examiner. The city clerk files a report on the total compensation paid to firemen in the previous calendar year with the state commissioner of insurance on or before March 1st.

STATUTES: [Title 11, Ch. 19, R.C.M., 1947]

NOTE: RELATED STATE AGENCIES: State auditor, state examiner, state commissioner of insurance.

NAME: FOREST FIRE PROTECTION DISTRICTS (STATE)

The board of natural resources and conservation may create forest fire protection districts with the written approval of 51 percent of the owners of 51 percent of the acreage to be included in the proposed district. The department of natural resources may require an owner of classified forest land to pay to the county treasurer for forest fire protection not more than sixteen cents per acre per year for Class I land and not more than five cents per acre per year for Class II land. Class III lands may be listed for payment only when requested by the landowner at rates determined by the department. Forest Fire Protection Districts are governed by the board and the department of natural resources and conservation.

STATUTES: [28-101 to 28-129, R.C.M., 1947]

NAME: BOARDS OF HEALTH: City, County, City-County, and District.

NAME: CITY BOARD OF HEALTH (1967) (Mandatory in first and second class cities.)

FUNCTION: Administrative.

FORMATION: Organized in each first or second class city.

MEMBERS: Five.

QUALIFICATIONS:

METHOD OF APPOINTMENT: By council to serve at its pleasure.

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NAME: COUNTY BOARD OF HEALTH (1967) (MANDATORY)

FORMATION: In each county.

MEMBERS Five.

QUALIFICATIONS:

METHOD OF APPOINTMENT: Two persons appointed by the county commissioners to serve at their pleasure in addition to the three county commissioners; or five persons, appointed by the commissioners, to serve at their pleasure.

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NAME: CITY-COUNTY BOARD OF HEALTH (1967)

FORMATION: By mutual agreement between the county commissioners and the city council; the county and a first or second class city or cities may form a city-county board of health.

MEMBERS: At least five.

METHOD OF APPOINTMENT: One person appointed by county commissioners to serve at their pleasure. One person appointed by the council of each city that participates in the city-county board, to serve at the pleasure of the council.

Additional members appointed by the commissioners and the council of the city or cities participating in the city-county board as mutually agreed upon, to serve at the pleasure of the appointing commissioners or council.

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NAME: DISTRICT BOARD OF HEALTH (1967)

FUNCTION: Administrative.

FORMATION: By mutual agreement, two or more adjacent counties may create a district board of health. First and second class cities located in those counties may elect to be included in the district.

MEMBERS: Two or more.

METHOD OF APPOINTMENT: One person appointed by the commissioners of each county in the district, to serve at the pleasure of the appointing commissioners. One person appointed by the council of each city included in the district, to serve at the pleasure of the council.

Additional members appointed by the commissioners of each county that participates in the district board as mutually agreed upon, to serve at the pleasure of the appointing commissioners.

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DATE OF APPOINTMENT:

TERM: Three years staggered.

FILLING VACANCIES:

COMPENSATION:

OFFICERS: May elect a chairman and other necessary officers. Must appoint a Local Health Officer.

MEETINGS: Quarterly and special meetings as necessary.

FINANCE: By appropriations from the general fund(s) after approval of the budget(s).

POWERS: [69-4509]

REPORTS: Local health officer must before the first day of January, April, July, and October report to the local board on sanitary conditions, together with a detailed account of activity, on forms required by the state department of health. A copy is sent to the state department of health within ten days.

STATUTES: [Title 69. Ch. 45, R.C.M., 1947]

NOTE: RELATED STATE AGENCY: Department of Health.

NAME: HOSPITAL DISTRICT BOARD OF TRUSTEES (1953) (Board mandated if district created.)

FUNCTION: District: To supply hospital facilities and services to residents of the districts and, as authorized, to others.

Board: Governs and manages the district.

FORMATION: District: The creation of a hospital district is initiated by a petition to the county commissioners signed by not less than 30% of the qualified electors who are also taxpayers of the proposed district. The commissioners provide public notice, hold a public hearing or hearings, and refer the question to a vote at a general or special election. The commissioners create the district if a majority of the votes cast favor it. A hospital district may occupy all or part of a county.

Board: Three trustees elected by registered electors of the district.

MEMBERS: Three

QUALIFICATIONS: Registered electors qualified to vote at general elections.

METHOD OF APPOINTMENT  
OR ELECTION: Elected by registered electors residing in the district after nomination by a petition signed by 5 qualified electors of the district. If no nominating petition is filed the county commissioners appoint a trustee to fill the term.

DATE OF APPOINTMENT  
OR ELECTION: Same as for second or third class school district: First Tuesday in April.

TERM: Initially one, two, and three years; thereafter three year overlapping terms.

FILLING VACANCIES: Appointment by the remaining members, to serve until the next election for trustees.

COMPENSATION: None.

OFFICERS: The board appoints a qualified person, who may be a trustee, to serve as clerk.

MEETINGS:

FINANCE: The trustees may lease or purchase or sell property, employ hospital staff and set their compensation, cause

taxes to be levied, borrow money and issue bonds, and have an audit made of hospital district finances. The board of county commissioners must annually fix and levy a tax on all property in the district sufficient to raise the amount certified by the hospital trustees, up to three mills for all hospital purposes other than the payment of bonded indebtedness. At a general or special election the board of county commissioners may request the voters to approve up to three additional mills to support the hospital district. At least 30 per cent of the qualified electorate must vote in the election with a majority favoring the additional levy.

POWERS: A hospital district has all powers necessary and convenient to the acquisition, betterment, operation, maintenance, and administration of whatever hospital facilities the trustees consider to be necessary and expedient. Provisions are included for altering district boundaries and for terminating the district through a petition, public notice, public hearing procedure.

REPORTS:

STATUTES: (16-4301 to 16-4313, R.C.M., 1947)

NAME: HOUSING AUTHORITIES: City (1935), County (1941)

FUNCTION: Investigatory, advisory, and administrative

FORMATION: City housing authority: Any 25 residents of a city and of the area within 10 miles of the city may file a petition with the city clerk saying that there is need for a housing authority. The clerk provides public notice of the time, place and purposes of a public hearing at which the council determines the need for an authority. After the hearing, the council determines 1) whether unsanitary or unsafe inhabited dwelling accommodations exist in the city and surrounding area, and/or 2) whether there is a lack of safe or sanitary dwelling accommodations available to all inhabitants of the city or surrounding area. If the council finds that these conditions exist, it drafts an ordinance authorizing the mayor to appoint five commissioners to act as an authority, but the ordinance is not effective until it has been approved at a general or special election by a majority of those electors within the city limits who are voting. The housing authority commissioners submit an application to the secretary of state; when he has examined, filed and recorded the application, the authority constitutes a public body corporate and politic.

County housing authority: Any 25 residents of the county may file a petition with the county clerk stating that there is a need for a county housing authority. At the county level a procedure is followed similar to that for forming a city housing authority. (See above.)

Any two or more housing authorities may join or cooperate in the exercise of any or all powers.

MEMBERS: Five

QUALIFICATIONS: No commissioner may be a city official.

METHOD OF APPOINTMENT: By the mayor who files with the city clerk a certificate of appointment. The mayor may remove a commissioner for inefficiency, neglect of duty, or misconduct in office. A copy of the charges against him must be given the commissioner at least 10 days before a hearing is held on his removal.

The commissioners of a housing authority created for a county may be appointed and removed by the board of county commissioners in the same manner as the commissioners of a city housing authority are appointed and removed by the mayor.



DATE OF APPOINTMENT:

TERM: Initially, one, two, three, four, and five year terms; thereafter, five years, overlapping.

FILLING VACANCIES: Vacancies are to be filled for the unexpired term.

COMPENSATION: None but necessary expenses incurred in discharge of duties.

OFFICERS: The mayor appoints the first chairman; thereafter the commissioners select a chairman from among their members. They also select a vice-chairman from their members and may employ a secretary who is to be the executive director.

MEETINGS:

FINANCE: Immediately after the incorporation of the housing authority, the governing body of the city estimates and then appropriates the amount of money necessary for the administrative expenses and overhead of the housing authority for the first year following its incorporation.

The authority may by resolution authorize the issuance of bonds payable from its revenues and the proceeds of federal grants or from the income and revenues of certain designated housing projects whether or not they were financed in whole or in part with the proceeds of the bonds.

POWERS: A housing authority may exercise a broad range of powers including conducting investigations and examinations concerning housing conditions; studying and making recommendations concerning urban renewal and low income housing; cooperating with planning agencies; preparing, carrying out and operating housing projects; acting as agent for the federal government in connection with a housing project; arranging with a city or county to provide for the housing authority the services customarily provided by each of them; acquiring real property by eminent domain; insuring or providing for the insurance of the property or operations of the authority.

A county housing authority possesses generally the same powers as a city housing authority. County housing authorities are specifically empowered to borrow money, accept grants and exercise their other powers to provide housing for farmers of low income.

REPORTS: The authority at least once a year files a report  
with the mayor of the city.

STATUTES: [35-101 to 35-127; 35-128 to 35-146, R.C.M., 1947]

NOTE: Related State Agency: Secretary of State

NAME: INTERLOCAL COOPERATION COMMISSION (1969)

FUNCTION: Advisory.

FORMATION: Established in a county by: 1) joint resolution adopted by a separate vote of a majority of the governing bodies of the county and municipalities having any jurisdiction in the county, or 2) petition signed by at least ten percent of the qualified voters within the county registered for the last preceding general election filed with the clerk and recorder.

MEMBERS: Nine or more.

QUALIFICATIONS: Reside at the time of appointment within the county if selected by the county commissioners or within the municipality by which appointed. Not an official or employee of any unit of local government.

METHOD OF APPOINTMENT: Four members elected by county commissioners.

Four members appointed by the mayor of the principal city and confirmed by the council.

One member appointed by the mayor of each other municipality in the county and confirmed by its council.

One member, chairman, selected by the other members at their initial meeting.

DATE OF APPOINTMENT:

TERM: Five years.

FILLING VACANCIES: In the same manner as the appointment of the member replaced.

COMPENSATION: No compensation but actual and necessary travel and other expenses incurred in performance of official duties.

OFFICERS: A chairman from outside its appointed membership, selected as the first official act at the initial meeting.

MEETINGS: The county commissioners set the time of the initial meeting not more than 80 days after the commission is authorized. A chairman is elected at the first meeting. Further meetings are held on the call of the chairman, by a vice chairman in absence or inability of the chairman, or by a majority of the members. All meetings are open to the public.

FINANCE: Units of local government within the county may appropriate funds for the necessary expenses of the commission. The commission may accept and expend money from private or public sources. All money to be deposited with the county treasurer and disbursed by him.

POWERS: The commission may:

- (1) Make recommendations for providing local governmental services on both county-wide and urban area bases;
- (2) Contract and cooperate with other public or private agencies as necessary to carry out purposes;
- (3) Require information from all state agencies and units of government;
- (4) Accept and expend moneys from public or private sources, including the federal government;
- (5) Consult and retain experts; employ the necessary executive and clerical staff.

REPORTS: Within three years after the date of its organization the commission shall complete the preparation of its proposals and provide for adequate publication and explanation of its program. After public hearing the commission shall submit proposals contained in its comprehensive program.

STATUTES: [Title 11, Ch. 44, R.C.M. 1947]

NAME: IRRIGATION DISTRICTS (1909; previously, 1907) (Board mandated if district created.)

FUNCTION: Irrigation districts exist to effect an appropriate distribution of water to irrigible lands within the districts and to provide an effective public agency for the improvement, development, operation, maintenance, and administration of water sources and systems. Not all irrigation districts are authorized to perform the same functions nor to exercise the same powers; these depend essentially on a variety of factors concerned with the composition and, thereby, the formation of the individual districts.

FORMATION: Several similar procedures have been established for organizing irrigation districts. The different approaches result chiefly from the following variables:

- 1) Ownership of water rights, depending on whether all or only part of the owners of irrigible land within the proposed district also own water rights to all or only part of the sources of water for the district.
- 2) The character and complexity of the irrigation system, which may range from a single existing source and system serving a few owners of water rights in a contiguous territory to the development of a complex multi-source system including dams and reservoirs and serving non-contiguous irrigible lands over a broad multi-county or even multi-state area.
- 3) The intended purposes of the district, because in addition to irrigation the district may be involved in drainage, reclamation, or producing electrical power.

Irrigation districts may be comprised of:

- 1) Owners and non-owners of water rights in an area which need not be contiguous;
- 2) Lands withdrawn from an existing district served by an irrigation and/or drainage project constructed, operated and maintained by the United States in order to form a new district or to combine with another existing district in order to cooperate with the United States.
- 3) Twenty or more owners of land and adjudicated water rights serving at least 2,000 acres of land, contiguous or reasonably compact in area, all being served by one source or stream and branches. A board of five trustees for this type of irrigation district is elected on the first Monday of March annually to serve for one year.

4) More than fifteen owners of land and adjudicated water rights with water diverted by a single intake from the source and a single canal supplying the established system which serves at least 1,000 acres in a contiguous or reasonably compact area.

5) In addition, two or more districts may form a joint board of control to govern them; the districts may encompass an interstate area.

The following is the general pattern for forming an irrigation district but not the only pattern:

Establishment of an irrigation district is initiated by a petition signed by sixty percent of the land owners within the proposed district; their lands must represent sixty percent of the irrigible lands of the district. The petition is filed with the clerk of the district court and with the department of natural resources; it includes a general description of the lands, the source from which they are to be irrigated, and the character of the proposed works, water rights, and canals. The petition is accompanied by a map or plot of the proposed district and a bond sufficient to cover the costs of the preliminary proceedings. The district court sets a time for a public hearing and has published notice of the hearing along with a copy of the petition. Before the hearing the department of natural resources and conservation presents to the district court a written report or opinion on the engineering features involved and the possibilities of water supplies. The district court may make limited changes in the district, the lands of which need not be contiguous and may include parts of one or more counties. A copy of the court order that established the district is filed with the county clerk and recorder.

**BOARD:** In establishing the district the court describes the included lands and divides the district into three, five, or seven divisions, according to its size, and appoints one commissioner for each division. Subsequently annual elections are held to fill one or more commissioner positions. Whereas there are various sets of stipulations for the formation of irrigation districts and various powers attached to districts of different origins, the provisions for forming an irrigation district board are usually applicable to all irrigation districts, except that a district comprised of 20 or more water rights owners annually elects five members to serve for one year.

**MEMBERS:** 3, 5, or 7 according to the number of divisions in the districts.

**QUALIFICATIONS:** Owner of land within the district and resident of the county in which some portion of the division of the district is situated.

METHOD OF APPOINTMENT: Commissioners are initially appointed by the district judge; thereafter, they are elected by the electors of the entire district.

ELECTORS: Electors are defined as the following holders of title or evidence of title to lands within the district.

- 1) All persons who have the qualifications of electors under the constitution and general and school laws of the state;
- 2) Guardians, executors, administrators, and trustees residing in the state;
- 3) Domestic corporations, by their duly organized agents.

Each elector is permitted to cast one vote for each 40 acres of irrigible land, or major fraction of 40 acres owned within the district.

DATE OF APPOINTMENT:

OFFICERS: The commissioners elect one of their members as president and elect a secretary who may or may not be a commissioner; they hold office at the pleasure of the board.

MEETINGS: Regular meetings are held as the board prescribes; special meetings may be called on twenty-four hour notice by the president or any two members of the board may prescribe another manner and other notice for calling meetings.

FINANCE: How a district is authorized to finance itself depends upon its formation; assessed taxes are apportioned according to the number of irrigible acres; there is an appeal procedure. A procedure is set forth by which some districts may issue tax exempt bonds. Districts may purchase and sell tax certificates and titles of tax delinquent lands and may establish revolving funds including construction funds, sinking funds, and a United States contract fund. Debts to the United States constitute a lien against the irrigation system and the land within the district. Construction amounting to \$5,000 or more is done by contract; notice is published and sealed bids are called for. District financing is dealt with especially in chapters 17 (bonds), 18 (taxes and assessments; sales of tax delinquent lands), and 19 (indebtedness, warrants, bankruptcy, and financial aid) of Title 89.

POWERS: An irrigation district board of commissioners may manage and conduct the affairs of the district and may

employ and prescribe the duties of such persons as may be required, including an irrigation engineer.

The board of commissioners regulate, supervise, apportion, and control the furnishing and delivery of water through the distribution system of the district, except for users whose water rights are already established. The board may enter upon any land in the district to make surveys and may locate the necessary irrigation works on any lands it deems best suited. The board may acquire water and water rights by purchase, lease, or contract and they may acquire by purchase, lease, contract, condemnation, or other legal means, lands for rights of way, reservoirs, storage, dam sites and irrigation systems, all of which the board may construct, maintain, operate, and enlarge. The board may enter into contracts and agreements, including contract with the United States and agreements with individuals, corporations, or local government for the joint acquisition, construction, maintenance or operation of any rights or property appropriate to the irrigation district.

REPORTS: The secretary of the board notifies by mail all title holders within the district when an irrigation engineer files his report, which must be done prior to the purchasing or construction of any irrigation canals or works. His report includes surveys, examinations, maps, plans, and estimates.

All petitions, papers, documents and other instruments which are to be filed are filed in the county containing the greater portion of the irrigation district, usually with the clerk of the district court but sometimes also with the county clerk and recorder.

STATUTES: (89-1201 to 89-2128, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: Department of natural resources.



NAME: BOARD OF CONTROL FOR JOINT OPERATION OF IRRIGATION DISTRICTS (1959)

FUNCTION: To be the operating agent of the contracting districts for the operation and maintenance of irrigation and/or drainage works and the delivery of water from these works.

FORMATION: The board of commissioners of an irrigation district may enter into a written contract with one or more other irrigation districts for the creation of a joint board of control. Where the irrigation works lie partly in Montana and partly in an adjacent state, the board may contract with the district or districts in that state for a joint board of control. The majority of the owners of irrigible lands of each district must vote in favor of organizing a joint board of control. The board of control is comprised of one or more irrigation commissioners from each district involved and a member at large.

MEMBERS: Minimum of three.

QUALIFICATIONS: One or more commissioners from each district involved. The member at large is a landowner from one of the districts involved but may not be an employee, agent, water commissioner or servant of any of the districts involved.

METHOD OF APPOINTMENT: The board of commissioners of each district involved appoints one or more of its commissioners to the board of control. The commissioner members of the board of control select the member at large.

DATE OF APPOINTMENT:

TERM: Appointed commissioners: one year.  
Member at large: one year.

FILLING VACANCIES: Appointed commissioners: appointment by the board of the district involved to fill the remainder of the unexpired term. Member at large: appointment by the members of the board of control to fill the unexpired term.

COMPENSATION: Up to \$15 per day plus necessary expenses.

OFFICERS:

MEETINGS:

FINANCE: The participating districts pay proportionately to the board of control the necessary costs, expenses and charges for the general administration, maintenance and repairs on an acreage basis.

POWERS: The joint board of control is responsible for the operation and maintenance of irrigation and/or drainage works and the delivery of water from them. The board makes and executes contracts, employs the required personnel, including district managers, prescribes their duties, and does whatever else is appropriate to its functioning.

REPORTS: The department of intergovernmental relations prescribes forms for and examines the records of the board of control, which includes accounts, contracts, securities, minutes of meetings, and all other matters.

STATUTES: (89-1209 to 89-1220, R.C.M., 1947)

NOTE: RELATED STATE AGENCIES: Department of natural resources and conservation; department of intergovernmental relations.

NAME: WATER COMMISSIONERS (1939; previously, 1899)

FUNCTION: To distribute to persons having water rights the water to which they are entitled. Administration and enforcement.

FORMATION: Whenever a court of competent jurisdiction has decreed that certain persons have the rights to use certain waters, the judge of the district court having jurisdiction may appoint one or more water commissioners, either upon application of the owners of fifteen percent of the water rights affected by the decree or when petitioners show that they are both unable to obtain the application of owners of at least 15 percent of the water rights and unable to obtain the water to which they are entitled. When the existing rights of all appropriators from a source or in an area have been determined in a final decree issued under the Montana Water Use Act, the judge of the district court which issued the final decree shall upon application by the department of natural resources and conservation appoint a water commissioner.

MEMBERS: One or more.

QUALIFICATIONS:

METHOD OF APPOINTMENT: By district judge.

DATE OF APPOINTMENT:

TERM: For such time during the irrigation season of each year as may be designated by the judge in the order making the appointment.

FILLING VACANCIES:

COMPENSATION: Fixed by the district court when the water commissioner is appointed.

OFFICERS: When the judge of the district court appoints two or more commissioners he may empower one to exercise direction and control over the others.

MEETINGS:

FINANCE: The owners and users of the distributed waters pay their proportionate share of the fees and compensation of the water commissioners. If the water commissioner incurs expenses for making headgates and dams, these expenses may be assessed against the land upon which the expense has occurred.

POWERS: Water commissioners have the authority to admeasure and distribute to persons owning water rights in the sources affected by the decree(s) the waters to which they are entitled, including if the court instructs, the stored and supplemental waters released through the jurisdiction of the state department of natural resources and conservation. Water commissioners may incur expenses in making headgates or dams of the distribution of waters. Upon the written request of the owners of 51 percent of the water rights, the judge may empower the commissioner to maintain and keep in reasonable repair their ditch or water systems at their expense. The commissioner has the authority to enter upon any source for conveying the waters affected by the decree and to inspect and adjust all means of distributing the waters. He may arrest any persons interfering with the distribution of water made by him.

REPORTS: Each commissioner keeps a daily record of the amount of water distributed to each water user; every month he must file a summary of the record with the clerk of the court. Or, two or more commissioners may file a joint summary or the chief commissioner, if there is one, may file a summary in behalf of them all.

STATUTES: (89-1001 to 89-1024, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: Department of natural resources and conservation.

NAME: COUNTY LAND ADVISORY BOARD (MANDATORY) (1933)

FUNCTION: Advisory: to cooperate with the county commissioners in administering lands belonging to the county.

FORMATION: Each county is required to have a county land advisory board appointed by the district judge.

MEMBERS: Five

QUALIFICATIONS: Three properly qualified taxpayers and residents, the state senator and one state representative.

METHOD OF APPOINTMENT: The district judge appoints the board.

DATE OF APPOINTMENT:

TERM: Six year overlapping terms for the three taxpayer appointees; initially, one for a two year term, one for four, and one for six years.

FILLING VACANCIES:

COMPENSATION: None

OFFICERS: The board selects a chairman from its members. The county clerk is clerk of the board.

MEETINGS: The first Wednesday following the first Monday of each month and upon call of the chairman or a majority of the members.

FINANCE:

POWERS: When the county commissioners request them to do so, the land board advises the commissioners on the direction, control, care, management, appraisal, lease, sale, exchange and disposition of county lands.

REPORTS: The clerk shall keep the minutes of all meetings and be custodian of all records; the board is instructed to preserve all important documents, maps, plats and papers.

STATUTES: (16-1501 to 16-1514, R.C.M., 1947)

NAME: CITY AND/OR COUNTY LIBRARY BOARDS (Originally, 1915; major revision, 1967) (Mandatory under certain circumstances.)

FUNCTION: ADMINISTRATIVE

FORMATION: City or county library:

(1) The governing body may by resolution establish a free public library.

(2) Not less than ten percent of the resident taxpayers of any city or county may by petition request the governing body to establish a public library. The governing body sets a time for a public meeting, provides public notice of the time and intent of the meeting; at the meeting the governing body may by resolution create a public library.

(3) Not less than five percent of the resident taxpayers of any city or county may by petition request the governing body to submit to the vote of qualified electors at the next general election the question of whether to create a public library.

Thirty-five percent of the affected resident taxpayers may petition the governing body to hold a special election on the question, which is to be held as soon as procedures allow.

A county petition must be signed by the required percentage of resident taxpayers outside the corporate limits of any city or town which has already established a free public library. If a majority of those voting on the question favor establishing the library, the governing body is to arrange immediately to establish and maintain the library or to contract with any city or county for library service for the inhabitants in the jurisdiction of the governing body. Upon the establishment of the library, the mayor and city council or the county commissioners, as appropriate, must appoint a library board.

City-county library: The governing bodies of a county and of any city or cities within the county may by a mutually agreed upon contract establish a joint city-county library. The joint library is governed by a board of trustees chosen as specified in the contract.

MEMBERS: City: five  
County: five  
City-county: five

QUALIFICATIONS:

METHOD OF APPOINTMENT: City: Mayor with advice and consent of governing body.  
County: Chairman of board of county commissioners with their advice and consent.  
City-County: Chosen as specified in the contract.

DATE OF APPOINTMENT: City or county: First day of July of each year.

TERM: City or county: Initially, for one, two, three, four, or five years; thereafter five years, overlapping. No more than two full terms in succession.  
City-county: not to exceed five years; no more than two full terms in succession.

FILLING VACANCIES: City or county: Same manner as original appointments.  
City-County:

COMPENSATION: City, county, or city-county: none but actual and necessary expenses.

OFFICERS: City, county, or city-county: Trustees elect a chairman and such other officers as they deem necessary for one year terms. The chief librarian serves as secretary of the board.

MEETINGS:

FINANCE: City, county, or city-county: The governing body of any city or county which has established a public library may levy up to three mills on all property in the county and up to  $4\frac{1}{2}$  mills in the city. The proceeds constitute a separate library fund, the expenditure of which is under the exclusive control of the library board. The library board prepares and submits to the governing body an annual budget for maintenance and operation and a separate budget for capital improvement or new construction. The board may accept any gifts, grants and donations and keep them in a separate fund.

POWERS: City, county, or city-county: A library board of trustees has exclusive control of the expenditure of the public library fund, of construction or lease of library buildings, and of operation and care of the library. The board adopts by-laws, rules and regulations for its own transaction of business and government of the library. It locates the central library and may locate branches as it considers necessary. The board may contract with other libraries, school districts, other educational institutions, the state library, cities, counties, and regions to give, receive or merge services. In the name of the city or county or both, the library board may acquire, use, insure, sell, or exchange

real or personal property for library purposes. The board appoints the chief librarian with whose recommendation the board also employs and discharges the other necessary employees and prescribes their duties and fixes and pays their compensation.

REPORTS: The board makes an annual report to the governing body of the city or county on the condition and operation of the library, including a financial statement. The trustees also keep whatever records it requires and they submit an annual report to the state library.

STATUTES: [44-211, 44-218 to 44-228, R.C.M. 1947]

NOTE: RELATED STATE AGENCY: State Library Commission  
The state library commission has a library advisory council of 13 members.



NAME: LIBRARY FEDERATION BOARD OF TRUSTEES  
(originally 1939; 1974)

FUNCTION: Advisory

FORMATION: Two or more cities, towns and/or counties through their governing bodies with the concurrence of their boards of library trustees may by contract participate in a library federation in the federation area designated by the state library commission. The board of trustees of each participating library names one of its members to the federation board of trustees and each participating entity without a library board appoints a layman to represent it on the federation board.

MEMBERS: One from each participating entity.

QUALIFICATIONS:

METHOD OF APPOINTMENT: One by each participating library board of trustees or, if there is no board, by the participating entity.

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: Control over their budgets remains in the hands of participating libraries, but property within each entity is subject to taxation for federation purposes. Any joint library services are operated and supported as provided in the contract. Each local entity may determine the amount of services it wishes to supply to fulfill the needs of its unit. After the federation has been established or the service contracted for, the legislative body of the participating governmental unit appropriates money annually in support of the library or the services. Any disagreement among participants regarding apportionment of funds or grants received from the state library commission are to be resolved by the state library commission.

POWERS: The board of trustees of a library federation acts as an advisor to the participating libraries and their boards of trustees.

REPORTS:

STATUTES: [44-212 to 44-215, R.C.M. 1947]

NOTE: RELATED STATE AGENCY: State Library Commission.

NAME: COUNTY LIVESTOCK PROTECTIVE COMMITTEE (1953) (Mandatory under certain circumstances.)

FUNCTION: Advise and assist.

FORMATION: At least 51% of the owners of cattle in the county who own at least 55% of the cattle petition the board of county commissioners who must then set up a county livestock protective committee. Owners of sheep may petition to be included to act in cooperation with owners of cattle or may alone form a protective committee.

MEMBERS: Three

QUALIFICATIONS: Residents of the county engaged in the business of raising cattle. Preference is given to names submitted by any organization of cattle growers in the county. One member shall be a sheep grower if sheep growers have petitioned to be included.

METHOD OF APPOINTMENT: By county commissioners.

DATE OF APPOINTMENT:

TERM: Two years, overlapping. Initially two members are appointed for two years, one for one year.

FILLING VACANCIES:

COMPENSATION: None.

OFFICERS: Members elect a chairman and secretary annually.

MEETINGS: At the call of the chairman or any two members of the committee.

FINANCE: They county livestock protective committee may recommend a levy of up to 25 cents a head on all assessable cattle and 5 cents a head on sheep. The revenue is deposited by the treasurer in a special fund, the stockmen's special deputy fund, together with any other county, state, or federal or private funds made available for the purpose for which the committee has been authorized.

POWERS: The county livestock protective committee advises, assists, and cooperates with the department of livestock, the county commissioners, the sheriff, and all other public officials or police officers who have duties pertaining to hide and brand inspection, apprehension of livestock rustlers, the prevention of rustling, enforcement of law governing the movement and sale of livestock, the treatment and prevention of livestock diseases, and other matters of interest and value to the livestock industry in the county. The committee may recommend to the county commissioners the appointment of a special livestock

deputy, satisfactory to the sheriff and the department. Provisions are included for discontinuing the livestock protective committee.

REPORTS: The secretary keeps minutes of all meetings and after they have been approved deposits them with the county clerk and recorder; they are kept available for public inspection.

STATUTES: (46-2701 to 46-2708, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: Department of livestock.

NAME: CATTLE PROTECTIVE DISTRICTS AND DISTRICT COMMITTEES (1963)  
(Mandatory if district created.)

FUNCTION: Assist and advise.

FORMATION: District: At least 51% of the cattle owners owning  
55% of the cattle within the proposed district petition  
the county commissioners of each county involved; they  
declare the designated portion of their county to be  
part of the district. A cattle protective district may  
include part of one county or all parts of two or more  
counties.

Committee: County commissioners of each included county  
appoint the members of the committee.

MEMBERS: Each county included in the district is entitled to three  
members of the district cattle protective committee.

QUALIFICATIONS: Same as county protective committee.

METHOD OF APPOINTMENT: Same as county protective committee.

FILLING VACANCIES:

COMPENSATION:

OFFICERS: Same as county protective committee.

MEETINGS: Same as county protective committee.

FINANCE: The district cattle protective committee may recommend  
to the county commissioners that they levy up to 25  
cents per head on all assessable cattle in the district.  
The revenue is deposited in the stockmen's special  
deputy fund, together with any county, state, or federal  
funds made available for the same purposes.

POWERS: Same as county protective committee. Provisions for  
discontinuing the district are included.

REPORTS:

STATUTES: (46-2801 to 46-2810, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: Department of livestock.

NAME: HERD DISTRICTS (1917)

FUNCTION: Regulatory: to define an area within which livestock owners are responsible for keeping their animals fenced.

FORMATION: Providing that 25 percent of the land in the proposed district is in actual cultivation or is being used for residential purposes, the owners or possessors of 55 percent of the land may petition for creation of the district. The county commissioners set a date for hearing protests and verifying signatures and provide public notice of the hearing. At the hearing the commissioners also cause a map to be made of the proposed district to determine the shape and regularity of the boundaries. After declaring the district created, the commissioners publish notice of its creation, including the period for which it is in effect. Procedures are provided for changing the period when the district is in effect, adding territory and, under specific circumstances, for abolishing the district. The preference of a land owner supercedes that of a lessee on his land if there is conflict. A herd district may be created within one county or jointly between two or more counties.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE:

POWERS: A herd district is established to define an area within which livestock owners are to keep their animals fenced in during the period when the district is in effect; procedures for recovering stock and liabilities and penalties for trespassing animals are provided.

STATUTES: (46-1501 to 46-1507, R.C.M., 1947)

NAME: HORSE HERD DISTRICTS (1931)

FUNCTION: Regulatory: to define area within which horses are not permitted to run at large.

FORMATION: Owners or possessors of 55 percent of the land within the proposed horse herd district may petition for its creation, designating when during the year the district is to be in effect and what its outside boundaries are to be. The county commissioners set a date for hearing protests and verifying signatures. They notify the public of the hearing. After holding the hearing if they establish the horse herd district, they notify the public that it has been created and when during the year it will be in effect. Districts may be added to or abolished through a similar procedure.

JURISDICTION: Sub-county; excludes incorporated cities or towns.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: The estimated expense of all publications required to create, alter or abolish a horse herd district are paid by the petitioners and none by the county. Money received from the sale of trespassing horses in excess of the costs of the sale are deposited with the county treasurer in the "horse herd district fund." Within a year, the owner of the horse may recover the balance of the sale price, otherwise the money is transferred to the general fund of the county.

POWERS: Procedures are outlined for a citizen to notify the owner, sheriff or constable and state livestock inspector of a trespassing horse, for recovering charges for care and damages, for classifying and selling the horses, and for recovering the horse or the proceeds of the sale above its costs.

REPORTS: The county treasurer records a description of each horse sold, the amount received for its sale and the amount expended.

STATUTES: (46-1601 to 46-1607, R.C.M., 1947)

NOTE: RELATED STATE AGENT OR AGENCY: State brand inspector (livestock department).



NAME: SHEEP PROTECTIVE AREA; PREDATORY ANIMAL CONTROL (1943)  
(Mandatory under some circumstances.)

FUNCTION: To defray the expenses of a predatory animal control program to protect sheep.

FORMATION: Upon the recommendation of organized associations of sheep growers in the county, the board of county commissioners in any county, or in conjunction with other counties, may conduct a predatory animal control program. Upon petition of the resident owners of at least 51 percent of the sheep in the county, the board must establish a predatory animal control program.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: The county commissioners may require all owners of sheep in the county to pay a license fee not to exceed fifteen cents (15¢) per head of sheep coming one year old or older on the regular assessment date. Within the maximum limit, the amount of the fee charged may be increased or decreased upon petition by a petition signed by the owners of 51 percent of the sheep. Proceeds are kept by the county treasurer in the predatory animal control fund and are expended by the county commissioners to defray the cost of administering the program. Any furs or skins taken as a consequence of the program are sold and the proceeds deposited in the predatory animal control program.

POWERS: The county commissioners may conduct a predatory animal control program. Once established the program continues from year to year unless the owners of 51 percent of the sheep petition for its termination.

REPORTS:

STATUTES: (46-2101 to 45-2104, R.C.M., 1947)

NOTE: RELATED AGENCY: Department of livestock.

NAME: LOCAL IMPROVEMENT DISTRICT COMMITTEE OF SUPERVISORS  
(1965; previous: 1917) (Mandatory if district created.)

FUNCTION: A local improvement district constitutes a special taxing area assessed to help pay for laying out, opening, constructing, or improving a county road. The committee of supervisors for the district assists the county surveyor and the county assessor in initiating the work of the district and in apportioning its costs. They oversee some of the financial decisions concerning the district.

FORMATION: District: The owners of two-thirds of the lineal feet of land fronting on the proposed or existing road petition the county commissioners for the development of the road. The petition states the nature of the improvement, the mode of payment, and the portion of costs to be assumed by the district. Upon receiving the petition the board must pass a resolution that public interest demands that the road work described in the petition must be done. The board sets a time and a place in the vicinity of the road for a public meeting. The county clerk provides public notice of the meeting. The petitioners and all owners of land fronting on the road or owned within two miles on either side of it upon which special assessments will be levied meet with the road superintendent or his deputy. Those present elect three persons as a committee of supervisors, at least one of whom must be a petitioner. They assist the road superintendent in preliminary investigations for the report he must prepare for the county commission. If the whole amount of damages, costs, and expenses do not exceed 50 per cent of the total assessed valuation of the land in the district, the board orders that the road be made, creating the local improvement district.

MEMBERS: Three

QUALIFICATIONS: Owners of land benefited by the improvements and to be included within the local assessment district; at least one must be a petitioner.

METHOD OF APPOINTMENT  
OR ELECTION: A majority of the landowners of the proposed district who are present and voting at the public meeting elect three persons as a committee of supervisors.

DATE OF APPOINTMENT: (At the public meeting)

TERM:

FILLING VACANCIES:

COMPENSATION: Three dollars per day for the time the committee is actually engaged in meeting and acting with the superintendent and in transacting the business of the district. No mileage or other expense money is paid.

OFFICERS:

MEETINGS:

FINANCE: The district assumes between 35 and 75 percent of the cost of the road work; by agreement with the county commissioners the balance is paid from county funds. The committee of supervisors and the county assessor apportion assessments according to a formula which establishes three local assessment districts based on the proximity of the land along the road to the road (within one, two, or three miles from the road.) Of the whole cost payable by the district, the area nearest the road is assessed 45 percent; the middle area pays 35 percent; the farthest area pays 20 percent. The public is notified when the assessment roll has been filed and may make written objections, which will be heard by the board of county commissioners. The petition states whether the land owners want to make assessment payments immediately or to have them equally divided over a six year period. Payments are in the form of bonds. The assessments constitute a first lien on the land.

POWERS: The committee of supervisors assists the surveyor or his deputy to examine and survey the road, to determine which lands will be specifically benefited and should be assessed, to ascertain whether damage will be done in making the road, to obtain without cost a written release of each person of his claim for damage or, failing that, arrange fair reimbursement for the release. The committee and the road superintendent appoint an inspector of the work, who reports to and is answerable to the superintendent. The committee and the county assessor apportion the estimated cost and expenses to the land in the district. The committee may reject bids for construction and improvement and may then contract with the board of county commissioners for the county to do the work. The committee approves and certifies all claims and accounts for services and every kind of expense payable from district funds. With the approval of the committee the surveyor may make estimates of the proportion of the work completed so that the county treasurer may pay up to 80 percent of the estimate while the work is in progress.

REPORTS: The committee and the surveyor contribute to the initial report of the road superintendent from which the board of county commissioners determines whether to create the local improvement district.

STATUTES: (32-3101 to 32-3131, R.C.M., 1947)

NOTE: See also: Road Districts

NAME: LOCAL GOVERNMENT STUDY COMMISSIONS (MANDATORY) (1974)

FUNCTION: Advisory

FORMATION: The governing body of each county and each incorporated city or town by resolution established at an odd number of three or more the number of study commissioners for their unit of local government. Study commissioners were nominated before August 1, 1974 and were elected on a non-partisan basis and at large at the general election on November 4, 1974. Study commissioners are qualified electors and residents of the municipality or of the county commissioner district they represent. If a sufficient number of study commissioners were not elected, the mayor with the approval of the municipal governing body, or, for counties, the board of county commissioners appointed the additional study commissioners.

MEMBERS: An odd number of three or more.

QUALIFICATIONS: Qualified electors and residents of the areas they represent.

METHOD OF APPOINTMENT: Election or, failing that, appointment.

DATE OF APPOINTMENT: Election: November 4, 1974. Appointment on or before November 16, 1974.

TERM: Until June 30, 1977

FILLING VACANCIES: The mayor with the approval of the municipal governing body or, for the county, the county commissioners fill any vacancy by appointing a new commissioner.

COMPENSATION: None other than for actual and necessary expenses.

OFFICERS: Study commissioners elect a chairperson from their members.

MEETINGS: At the call of the chairperson, vice-chairperson in the absence or inability of the chairperson, or a majority of the study commissioners. The chairperson is to give due notice of the time and place of the meetings; all meetings are open to the public.

FINANCE: The governing body of each unit of government prepared the budget for 1975; each study commission will prepare its own budgets for 1976 and 1977 and submit them to the governing body of the appropriate unit of local government for its approval. The study commissions are supported by a combination of state funds appropriated for that purpose, and local funds and/or in-kind services.

POWERS: The study commission has the power to administer its own affairs by employing staff, establishing advisory boards, retaining consultants, and contracting for necessary services or studies.

REPORTS: (As outlined in HB 177, 1975 Legislature.)

STATUTES: [16-5101 to 16-5121, R.C.M. 1947 and HB 177, 1975 Legislature]

NAME: REGIONAL MENTAL HEALTH BOARD

See sample summaries of "Related Agencies."

STATUTES: (80-2804, R.C.M., 1947)

NAME: MOSQUITO CONTROL DISTRICTS AND JOINT MOSQUITO  
CONTROL DISTRICTS (1953) (Board mandatory if  
district created.)

FUNCTION: Administrative

FORMATION: District: At least 25 percent of the property owners within the proposed district in a petition describing the district boundaries may request the county commissioners to create a mosquito control district. The commissioners set a public hearing, post notice as required both in public places and in newspapers, and hold the hearing. If written protests from more than 51 percent of the qualified electors in the proposed district are filed with the county clerk, the district is not created, or, if because of objections filed the county commissioners are in doubt, they may provide a public referendum at the next regular election. Before setting a time for a hearing they may also have a survey and study made of the district and submit a report to the department of health and environmental sciences for its review and recommendations. There are provisions for enlarging and for dissolving a district, as well as for eliminating territory from a proposed district prior to its creation. The district may include any incorporated or unincorporated city or town in the county. Joint intercounty districts may be created through a similar process.

Board: Upon creation of a mosquito control district, the county commissioners appoint a three to five member board in addition to which the health officer, the sanitarian or a member of his staff, and the county extension agent are ex officio members of the board without a vote. Joint mosquito control district board: Appointments are made by joint action of the commissioners in all counties affected and all counties are to be represented among the appointed members of the board. The county health officer, county sanitarian and county extension agent are ex officio members of the board without a vote.

MEMBERS: Three (appointed), plus up to three ex officio (see above).

QUALIFICATIONS: Resident freeholder.

METHOD OF APPOINTMENT: By county commissioners

DATE OF APPOINTMENT: After the expiration of initial appointments of up to three years, one member is appointed on the first of July of each year.

TERM: Three years, overlapping; after initial appointments.

FILLING VACANCIES:

COMPENSATION: Per diem allowed by state when the board is actually in session and their necessary mileage.

OFFICERS: They select a chairman from among the appointed members and a secretary.

MEETINGS:

FINANCE: The county commissioners establish a mosquito control fund and may levy up to 5 mills on property in the district. In case of a joint mosquito control district the tax levy is made by agreement among the commissioners of all counties affected and applies uniformly throughout the joint district. The petitioners pay the costs of publishing notice of hearings to create or enlarge a district. Any fines collected on behalf of the district are deposited in its fund.

POWERS: The mosquito control board may develop and administer a program for the alleviation of mosquito pest conditions within the district. It may employ necessary personnel and provide their compensation; obtain necessary equipment and material; cooperate with other individuals and organizations; receive gifts, grants, and donations; and do whatever is advisable to survey, control, modify or abate any condition which may contribute to the existence of mosquitos. The board members or their employees or agents are authorized to enter any premises in order to perform the functions of the board. If the board requires a landowner to correct a condition, it shall provide for a hearing of the evidence.

REPORTS: Annually on or before the first day of February the board submits to the department of health and environmental sciences for their review and advice a written report of its operations for the preceding year and a written plan of its control program for the ensuing year.

STATUTES: (16-4201 to 16-4214, R.C.M., 1947)

NOTE: RELATED STATE AGENCIES: Board of health and environmental sciences and pesticides division of department of agriculture (advisory). DHES has a 9 member mosquito abatement advisory council.



NAME: MUSEUM BOARD OF TRUSTEES (1945) (Mandatory under certain circumstances.)\*

FUNCTION: Administrative

FORMATION: At the first meeting after acquiring a museum or collection, the board of county commissioners appoint a board of trustees for the museum or collection.

MEMBERS: Three

QUALIFICATIONS: Responsible persons, electors and residents of the county.

METHOD OF APPOINTMENT: By the county commissioners.

DATE OF APPOINTMENT: Initially, at the first meeting after acquiring a museum or collection; thereafter, the board makes one appointment annually at its regular meeting in July.

TERM: After the terms of the initial appointees have ended, trustees serve three year, overlapping terms, one of which expires June 30th each year.

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: The county commissioners may acquire by gift or donation archaeological, geological and historical museums and collections and articles to be included in the museums or collections. After acquiring a museum or collection, the county commissioners may levy up to one-half mill annually for its upkeep, care, maintenance, operation, and support. Proceeds of the levy are kept by the county treasurer in a special fund and used solely for the purposes for which it was made.

The museum board of trustees provides the county commissioners annually with an estimate of the amount to be budgeted by the county for the year. (See also REPORTS.)

POWERS: The museum board of trustees has immediate custody and control of the museum or collection. The board makes whatever rules and regulations are necessary and reasonable for the preservation, upkeep, care, maintenance, operation, support and display of the collections or the museum.

REPORTS: Not later than the 15th of July of each year, the trustees make a report in writing to the county commissioners

detailing all gifts and donations made to the museum or collections and the receipts and expenditures during the immediately preceding fiscal year. They include an estimate of the amount to be budgeted by the county for the current fiscal year for the museum or collections.

STATUTES: (16-1163 to 16-1165, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: Montana Historical Society.

\*But a city or town may also procure, own and operate a museum under section 62-208, R.C.M., 1947 without creating a board, or the governing body may place the museum under the control and management of the board of park commissioners.

NAME: OPEN-SPACE LAND PLANNING COMMISSION (1969)

FUNCTION: Advisory, Administrative.

FORMATION: Council determines by resolution whether to exercise open-space powers through a board, commission or an office. The state, county, or municipality may exercise any or all of its functions and powers jointly or cooperatively.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: [62-606; 62-607]

POWERS: [Title 62, Ch. 6]

REPORTS:

STATUTES: [62-606(b)(4), 62-607, R.C.M., 1947]

\*NOTE: The Gallatin County Commissioners, in cooperation with the Gallatin City-County Planning Board, have levied for an open-space planning program without creating either of the specialized agencies apparently anticipated in sections 62-606(b) or 62-607.

NAME: COUNTY BOARD OF PARK COMMISSIONERS (1967)

FUNCTION: Administrative

FORMATION: There may be created in all counties a board of park commissioners.

MEMBERS: Three county commissioners; six appointees.

QUALIFICATIONS: (11-710) At least 25 years old and a tax-paying freeholder within the limits of the county and a resident of the state for at least three years.

METHOD OF APPOINTMENT: By the county commissioners.

DATE OF APPOINTMENT: Before the first Monday in May.

TERM: Three years, overlapping; initially, one for one year, two for two years, two for three years.

FILLING VACANCIES: Any park commissioner who fails to attend meetings for three months without leave of absence or who fails within 20 days of his appointment to qualify as required is considered to have vacated his office and a successor may be appointed.

COMPENSATION: None, but the actual and necessary expense incurred while transacting any business of the board may be paid upon being allowed and audited by the board.

OFFICERS: They elect from their members a president and a vice-president for one year terms and employ a secretary who is not a member of the board.

MEETINGS: On the first Monday of May of each year to organize and at least once a month and at such times as the board prescribes by rule. Special meetings may also be held at the call of the president or in his absence the vice-president, giving 24 hour notice to the other board members.

FINANCE: The county treasurer keeps in a separate fund known as the park fund all moneys raised by taxes for park purposes, received by the board of park commissioners for the sale of hay, trees, plants, or received from the use or leasing of lands and facilities. The board may not incur liability on behalf of the county in excess of the moneys on hand in the park fund or the taxes levied for it. At its first regular meeting each month the board of park commissioners audit and allow all just claims for which the board has incurred liability. The park commissioners may accept grants or loans from the United States government subject to agreements in conformance to federal laws and regulations.

The county park board may establish by resolution a reasonable and uniform charge for the use of facilities or lands under its authority.

The park commission may contract an indebtedness in behalf of the county up to a total not to exceed three percent of the value of the taxable property in the county. Before money may be borrowed on bonds issued for the purchase or improving of lands, the affected qualified electors of the county must cast a majority vote in favor of the proposition.

POWERS: A county park board has the following powers:

1. To acquire by gift, grant purchase, lease, or condemnation lands or facilities within or without the limits of corporate municipalities for parks, playgrounds, recreation areas, swimming pools, athletic fields, skating rinks, museums, zoos, golf courses, camps, multipurpose buildings for civic centers, field houses, gymnasiums, youth center, libraries, reading and meeting rooms or combinations of these; the board may furnish, equip, manage and control these facilities.
2. To make all rules and regulations necessary or convenient to protect and promote the improvement of land and facilities under its care and control, including determining when and which parks and recreation areas are to be open to the public. They make rules and regulations for the protection of birds and animals in parks and public places.
3. To provide penalties for the violation of their rules and regulations which have the force of resolutions of the county commissioners.
4. To employ and discharge necessary personnel and to fix their compensation. To make all contracts necessary or convenient to its powers and duties and to pay all obligations it is authorized to incur.
5. To lease county-owned lands acquired for parks if the park board does not consider it advisable to improve the lands, provided that these lands not be leased for longer than five years and not for longer than one year without the concurrence of two-thirds of the entire board of park commissioners.

REPORTS:

STATUTES: (16-4801 to 16-4807, R.C.M., 1947)

NAME: BOARD OF PARK COMMISSIONERS (City) (1909)

FUNCTION: Administrative.

FORMATION: May be created in any city of the first or second class.

MEMBERS: Seven; mayor plus six others.

QUALIFICATIONS: Same as for Mayor; 25 years old, tax paying freeholder within city limits, resident of state three years, municipal resident two years and during term of office.  
[11-710]

METHOD OF APPOINTMENT: Mayor with council approval; member loses office if he fails to qualify within 20 days of appointment or neglects to attend meetings for three consecutive months without leave of absence from the board.

DATE OF APPOINTMENT: First of May.

TERM: Two years.

FILLING VACANCIES: Mayor with council approval.

COMPENSATION: No compensation, but actual and necessary expenses incurred while acting under the orders of the board.

OFFICERS: President and Vice President elected at first meeting. Term one year. City clerk is ex officio clerk of the board to attend all meetings and to keep records.

MEETINGS: Organize on first Monday in May of each year; at least once a month; special meetings called by chairman, or vice-chairman in his absence, on 24 hours written notice of the time and place.

FINANCE: [62-205; 62-207]

POWERS: The board controls and manages parks and may be authorized by the city governing body to control and manage other recreational institutions and programs.

REPORTS: Clerk keeps record of board of park commissioners and makes a financial statement to the board at its first meeting in January. Copies are filed in offices of clerk and treasurer.

STATUTES: [Title 62, Ch. 2, R.C.M., 1947]

NAME: BOARD OF RECREATION (1939)

FUNCTION: Administrative.

FORMATION: Any municipality, school district, or board thereof including board of park commissioners may operate a program of public recreation and playgrounds independently or may co-operate in its operation, or delegate operation of the program to a board of recreation created by any city, town, school district, or any board thereof, including any board of park commissioners. All moneys appropriated for the program may be expended by the board.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE:

POWERS:

REPORTS:

STATUTES: [62-212, R.C.M., 1947]

NAME: OFF-STREET PARKING COMMISSION (1951)

FUNCTION: Administrative.

FORMATION: Council adopts a resolution declaring the need for a parking commission to function. The council may terminate or suspend the commission and transfer property and powers to city.

MEMBERS: Five to seven.

QUALIFICATIONS: Electors of the city.

METHOD OF APPOINTMENT: Mayor with council approval.

DATE OF APPOINTMENT:

TERM: Four years, overlapping.

FILLING VACANCIES: Vacancies are filled for unexpired terms by Mayor with council approval.

COMPENSATION: Actual and necessary expenses, including traveling expenses, and such other compensation as the council may prescribe.

OFFICERS: Chairman of the commission; first chairman appointed but thereafter chairman elected by commission from members. Term one year, unless otherwise prescribed by legislative body of city.

MEETINGS:

FINANCE: Council may appropriate money for administration of commission.

POWERS: [11-3707]

REPORTS: File with the council a report of all transactions, including a statement of all revenues and expenditures quarterly, semiannually or annually as prescribed by the council. Publish statement of financial affairs annually in newspaper.

STATUTES: [Title 11, Ch. 37, R.C.M., 1947]



NAME: PLANNING BOARDS: CITY, CITY-COUNTY, AND COUNTY (1957) (See also 11-3815.1 (1975) on JOINT or CONSOLIDATED PLANNING BOARDS)

FUNCTION: Advisory

FORMATION: The governing body of any city or town, of more than one city or town, or of any county, or any combination of them, may create a planning board. Before enacting an ordinance creating a city planning board, the city council must notify the county commissioners of their intention. The county commissioners must then decide either to form a city-county planning board or to permit the city to form a city planning board. Before a county planning board may be created, the board of county commissioners notify the public of their intention to create a planning board, specifying when they will hold a public hearing on the matter. The commissioners may not create a planning board if within 60 days after the hearing it is disapproved in writing by a majority of the qualified electors of the county who reside outside the limits of the jurisdictional area of an existing city-county planning board and outside the incorporated limits of each city and town in the county. By agreement of the governing body or bodies then represented the membership as well as the jurisdictional area of any planning board may be increased to provide for representation and planning of any additional cities, towns, or counties seeking representation.

Jurisdictional areas of planning boards: City-county: the governing bodies represented on the city-county planning board establish by separate resolution the jurisdictional area of the board, which includes the incorporated area of the city and an agreed upon contiguous area.

Unincorporated area outside the city: to extend the boundaries beyond  $4\frac{1}{2}$  miles from the city limits requires a petition to the county commissioners by 5 percent or more of the resident freeholders in the area to be included, which must be between  $4\frac{1}{2}$  and 12 miles from the city limits. The commissioners provide public notice of their intent to include the area and of when public hearing will be held. The boundaries of the jurisdictional area can be extended only if good cause is shown for doing so; the boundaries may not be extended if a majority of the freeholders in the proposed area protest its inclusion.

County planning board: the county commissioners by resolution establish the jurisdictional area of the county planning board. When there is an unincorporated area within the potential jurisdiction of more than one planning board, the boundary between the conflicting areas is determined by agreement

between the planning boards involved with the approval of their governing bodies.

MEMBERS: City planning board: not less than seven members.  
City-county planning board: not less than nine members.  
County planning board: not less than five members.

QUALIFICATIONS AND METHOD OF APPOINTMENT: A city planning board consists of not less than seven members appointed as follows:

- a. One member is appointed by the city council from its membership.
- b. One member is appointed by the city council and may be an employee or hold public office in the city or county.
- c. One member is appointed by the mayor upon designation by the county commissioners. He may be a member of the board of county commissioners, an officeholder, or an employee of the county.
- d. Four citizen members are appointed by the mayor, two of whom are, if possible, resident freeholders within the urban area outside the city limits over which the planning board has jurisdiction and two of whom are resident freeholders within the city limits. These citizen members must hold no other office in the city government; they must be knowledgeable and experienced in matters pertaining to the development of the city.

City-county planning board: A city-county planning board consists of not less than nine members who are appointed as follows:

- a. Two official members who reside outside the city limits are appointed by the county commissioners; they may be employed by or hold public office in the county.
- b. Two official members are appointed by the city council; they may be employed by or hold public office in the city.
- c. Two citizen members are appointed by the mayor of the city.
- d. Two citizen members are appointed by the county commissioners; they must reside outside the city limits but within the jurisdictional area of the planning board.

e. The ninth member is selected by the eight officers and citizen members with the consent and approval of the county commissioners and the city council.

The citizen members must be resident freeholders in the area over which the planning board has jurisdiction. Starting with the mayor, the mayor and the county commissioners alternate in making appointments to fill citizen positions on the city-county planning board as the citizen terms expire. If more than one city is represented on a board, the representation and appointments made by the respective cities and counties must be by agreement and rule of the board.

County planning board: County planning boards consist of not less than five members appointed by the board of county commissioners. At least one member of any county planning board must be a member of the governing board of a conservation district or of a state cooperative grazing district, if officers of either reside in the county. The citizen members of the county planning board are resident freeholders in the area over which the planning board has jurisdiction.

If any cities or towns subsequently become represented on the county planning board, their representatives are to be appointed by the respective city councils.

#### DATE OF APPOINTMENT:

TERM: A city or county officer member of any planning board serves for a period coextensive with the term of office for which he has been elected or appointed, unless, for the city planning board, the city council on its first regular meeting of each year appoints another person to serve as its representative or unless the term of office of the city council's representative is terminated.

A citizen member of a city-county or county planning board serves for two years, except that the terms of the first members appointed are fixed by agreement of the governing bodies represented on the board for one or two years so that a minimum number of terms will expire in any year.

FILLING VACANCIES: The governing body or bodies that made the appointment to the unexpired term also make the appointment to fill the vacancy. If the county fails to designate its member on the city planning board, the mayor may appoint a person of his

choosing as representative of the county.

**COMPENSATION:** Members receive no salary but may be reimbursed from local funds for transportation and actual expenses incurred in attending planning board meetings or, if budgeted for and approved by the board, in attending a conference or interview in another city, county, or state.

**OFFICERS:** The planning board elects a president and vice-president from its members. The board may appoint and prescribe the duties of a secretary.

**MEETINGS:** The board shall fix the time for holding regular meetings, but it shall meet at least once in the months of January, April, July, and October. Special meetings may be called by the president or by two members upon written request to the secretary, who sends to all members at least two days in advance of the meeting a written notice of the time and place for the meeting. No written notice is required if the time and place for the special meeting is set at a regular meeting or at a special meeting at which all members are present. A majority of the members constitutes a quorum but official action may be taken only at properly called regular or special meetings. The city or county is to provide suitable offices for meetings and for the preservation of maps, plans, documents and accounts.

**FINANCE:** The board prepares and submits to the governing bodies represented on it an annual budget; its expenditures are limited by the governing bodies. Any city, town, or county which becomes represented on an existing board shares in the costs of the board upon a basis agreeable to the governing body or bodies creating the board; the city, town, or county may appropriate funds to cover the costs of its representation and may levy a tax for planning board purposes. When two or more governing bodies have created a planning board, they shall agree upon the proportion of expenditures to be borne by each unit and may budget and appropriate the necessary funds for their respective shares.

The tax levy for planning purposes is limited as follows: a first class city may levy a tax not to exceed two mills; second class city, four mills; third class city or a town, six mills. A first class county may levy a tax not to exceed two mills; second class county, three mills; third class county, four mills; fourth class county, five mills; sixth and seventh class counties, six mills. When a city-county planning board has been established, that area outside the city limits which is within the jurisdictional area of the planning board may be designated by the county commissioners as a planning

district and they may levy a tax within the planning district for planning board purposes up to the authorized maximum for that county. When a county planning board has been established, the county commissioners may create a planning district which includes property outside any incorporated town or city and outside the jurisdictional area of any city-county planning board; the county commissioners may levy a tax not to exceed two mills on property within that planning district.

Any planning board is authorized to accept, use, or dispose of, gifts or donations, including money, real or personal property, and unimproved parks or playgrounds. Any money accepted by the planning board is deposited with the city or county in a special nonreverting planning board fund to be available for expenditures by the planning board for the purpose designated by the donor. Upon approval of the governing bodies represented on it, the board may accept and expend funds, grants, and services from the federal, state, or local governments or their agencies or from civic sources.

POWERS: A planning board serves in an advisory capacity to the local governing bodies which established it. A planning board has the power and duty to:

1. Administer its own affairs, including its fiscal responsibilities.
2. Prescribe the qualifications and duties of, appoint, remove, delegate authority to, and fix compensation for whatever employees are necessary. The board may contract for special, temporary or professional services.
3. Keep accurate and complete records.
4. Prepare, publish and distribute authorized or required recommendations, proposed ordinances and resolutions, and reports.
5. Prepare and submit to its governing bodies an annual budget.
6. The planning board is required to prepare a master plan for the area in its jurisdiction. In order to prepare its master plan the board may require from departments and officials of state, county, city and separate taxing units operating within the jurisdiction of the board whatever information, documents and plans will provide information related to the board's work. The board may propose policies for subdivision plats; the development of public ways, places, and structures and of public and private utilities; the issuance of improvement location permits on platted and unplatted lands;

and the laying out of public ways and services to platted and unplatted lands. The city council may require the city-county planning board to function as the city zoning commission. If requested to do so by the county commissioners, a city-county planning board may conduct specific projects within the county but outside the established jurisdictional area of the planning board.

The governing body of any city, town or county which has formed a planning board and adopted a comprehensive plan and subdivision regulations must seek the advice of the appropriate planning board in all matters pertaining to the approval or disapproval of plats or subdivisions.

See also zoning districts.

REPORTS: The board is to keep an accurate and complete record of all its proceedings and to preserve all its papers and documents. It makes recommendations and an annual report to any governing bodies represented on the board concerning the operation of the board and the status of planning within its jurisdiction. The board prepares, publishes, and distributes reports, proposed ordinances and proposed resolutions and other materials relating to its activities. The board may contract with federal, state, or local governments or civic sources to provide the information and reports required by these entities in order for the board to be able to secure financial aid from them. After the governing bodies approve the jurisdictional area of a city-county or a county planning board, the board files a map with the clerk and recorder showing the area's boundaries. Subsequent boundary revisions are also to be mapped and filed.

The planning board prepares and proposes a master plan for its jurisdictional area based on the current and projected physical, economic, and social situation within the city and/or county. The plan includes maps, plats, charts, surveys, studies, descriptions, and a long range development program of public works projects.

STATUTES: (Title 11, Chapter 38, R.C.M., 1947) See also planning and zoning districts and commission, zoning districts, boards of adjustment, zoning commissions.

NOTE: Related State Agency: Department of Community Affairs.

NAME: COUNTY PLANNING AND ZONING DISTRICTS AND COMMISSION  
(1953)

FUNCTION: Advisory and regulatory

FORMATION: Commission: Upon being petitioned by 60 percent of the affected freeholders the board of county commissioners may create a planning and zoning commission.

Districts: Adoption of a development district as proposed by the planning and zoning commission requires an affirmative vote by the whole commission and public notice followed by a public hearing. A district may be any area of not less than 40 acres.

MEMBERS: Five

QUALIFICATIONS: The commission consists of the three county commissioners, the county surveyor and the county assessor. They must all be residents of the county.

METHOD OF APPOINTMENT: By county commissioners.

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION: None other than reimbursement for duly authorized expenses.

OFFICERS: They select a chairman to serve for one year and appoint a secretary.

MEETINGS:

FINANCE: The county may levy up to one mill within a planning and zoning district to pay expenses for the transaction of the commission's business, provided that no planning and zoning district may be created in an area which has been legally zoned by an incorporated city.

The commission may establish and collect fees for permits issued as a prerequisite to construction, alternation, or employment of any building or structure in its jurisdiction; the fees collected go into the general fund of the county.

POWERS: The county planning and zoning commission makes and adopts a development pattern for the physical and economic development of the planning and zoning district. The commission adopts rules governing the transaction of its business; it may appoint

necessary employees and fix their compensation with the approval of the county commissioners. Any members or employees of the commission may enter upon any land and make examinations and surveys. The planning and zoning commission is authorized to exercise whatever powers may be appropriate to enable it to fulfill its functions and duties to promote county planning. The commission has access to any pertinent information, maps, and data available from any public officials, departments, and agencies. The commission may authorize and provide for the issuance of permits as a prerequisite to construction, alteration or enlargement of any building or structure subject to its jurisdiction.

REPORTS: The commission's secretary keeps a complete and permanent record of its proceedings. The planning and zoning commission may prepare and submit to the board of county commissioners drafts of resolutions for the purpose of carrying out development districts, including zoning and land use regulations, the making and preservation of official maps, and procedures for appeals from decisions made under the authority of its regulations and regulations for the conservation of the natural resources of the county.

STATUTES: (16-4101 to 16-4107, R.C.M., 1947)



NAME: (CITY) ZONING DISTRICTS (1929) AND ZONING COMMISSION (1929) (Mandatory under certain circumstances.)

FUNCTION: Districts: Regulatory: to define an area for which the city or town council may establish zoning regulations. Commission: Advisory

FORMATION: Districts: The city or town council may divide the municipality into zoning districts. The legislative body provides for the manner in which zoning regulations and restrictions and district boundaries are to be determined, established, enforced, and amended. However, before any regulations, restrictions or boundary may become effective the public must be notified and a public hearing held. If the legislative body of the city or town has adopted a master plan (Title 11, Chapter 38), it may extend the application of its zoning or subdivision regulations or both beyond the city limits in any direction, except in a county which has adopted regulations within that area. As a prerequisite to the exercise of this power, a city-county planning board whose jurisdictional area includes that area to be regulated must be formed or an existing city planning board must be increased to include two representatives from the affected unincorporated area.

Commission: In order to avail itself of zoning powers, the city or town council must appoint a zoning commission.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT: By city or town council.

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE:

POWERS: The zoning commission recommends boundaries of the original districts and appropriate regulations to be enforced in the district.

REPORTS: The commission makes a preliminary report and holds public hearings on the report before submitting its final report. The city or town council must not hold its public hearings or take action until it has received the final report of the zoning commission.

STATUTES: (City) Zoning Districts: (11-2701 to 11-2709, R.C.M., 1947) (City) Zoning Commission: (11-2706)  
See also: (City) Board of Adjustment (11-2707)  
City, City-County, County Planning Boards, (Title 11, Chapter 38) County Planning and Zoning Commission and Districts (16-4101 to 16-4107).

NAME: ZONING DISTRICTS (1963)

FUNCTION: To establish areas for which county commissioners may adopt zoning regulations.

FORMATION: If a comprehensive development plan for jurisdictional areas has been adopted (see city-county and county planning boards), the board of county commissioners may by resolution establish zoning districts and zoning regulations for all or parts of the unincorporated jurisdictional area. The county commissioners must require the county planning board and the city-county planning board, or either if there is only one, to recommend boundaries and appropriate regulations for the various zoning districts. The zoning regulations must be in accordance with a comprehensive development plan. Notice of the proposed boundaries and general character of the regulations is published along with the time and place of the public hearing. After the public hearing the county commissioners may pass a resolution of intention to create a zoning district and pass zoning regulations for it; they notify the public that they have passed the resolution, stating the proposed boundaries and general character of the regulations; that the proposed regulations are on file for public inspection at the office of the county clerk and recorder; and that they will receive written protests from people owning real property within the district. The county commissioners may adopt the district and/or the regulations, unless 40 percent of the freeholders within the district whose names appear on the last completed assessment roll protest their doing so.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: The board of county commissioners may provide for the issuance of location or conformance permits and may collect a fee for each permit; the proceeds of the fees are deposited in the general

fund of the county.

POWERS: Regulations may make it lawful or unlawful to erect, construct, alter, or maintain certain buildings or to carry on certain trades, industries or callings and restrictions may be set as to size and location of buildings and of open spaces. All regulations are to be uniform for each class of buildings throughout a district, but the regulations in one district may differ from those in other districts.

Penalties are provided for violation of the zoning district act or any resolutions resulting from it. The board of county commissioners may appoint enforcing officers to supervise and enforce the provisions of zoning regulations.

REPORTS: The public is notified that proposed zoning regulations are on file at the office of clerk and recorder.

STATUTES: (16-4701 to 16-4711, R.C.M., 1947) See also city-county and county planning boards and county board of adjustment.

NAME: COUNTY BOARD OF ADJUSTMENT (1963) (Mandatory), CITY BOARD OF ADJUSTMENT (1929)

FUNCTION: Quasi-judicial

FORMATION: The board of county commissioners or the city or town council provide for the appointment of a board of adjustment.

MEMBERS: Five

QUALIFICATIONS: The persons appointed to the county board of adjustment may be the same persons as appointed by the municipality to serve as the board of adjustment within its jurisdictional area.

METHOD OF APPOINTMENT: County: by the county commissioner.  
City: by city or town council.

DATE OF APPOINTMENT:

TERM: County: two years; city: three years; removable for cause by the appointing authority upon written charges and after public hearing.

FILLING VACANCIES: Vacancies are to be filled for the unexpired term.

COMPENSATION:

OFFICERS: Chairman

MEETINGS: Meetings are held at the call of the chairman and at such times as the board may determine.

FINANCE:

POWERS: A board of adjustment has the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the city or the county zoning district acts or of any resolution adopted as a result of the acts. The board may hear and decide special exceptions to a zoning resolution and upon appeal in specific cases may authorize variance from the terms of the resolution. The concurring vote of three members of the county board and of four members of the city board is necessary to reverse any order, requirement, decision or determination. The board may compel the attendance of witnesses.

REPORTS: If a decision of the board of adjustment is appealed to the courts, the board must provide the court with certified copies of the papers it acted on, or of whatever portions are called for by the writ certiorari issued by the court.

STATUTES: (County: 16-4706, R.C.M., 1947; City: 11-2707,  
R.C.M., 1947)

See also: City Zoning Districts; City Zoning  
Commission; City, City-County, and County Planning  
Boards; County Planning and Zoning Commission and  
Districts.

NAME: POLICE COMMISSION (1907) (Mandatory in first or second class cities and under certain circumstances in third class cities, otherwise optional.)

FUNCTION: Administrative and administrative review.

FORMATION: Required in first and second class cities, other cities and towns may provide by ordinance. Policemen in third class cities who have been employed ten years may request the appointment of a police commission.

MEMBERS: Three.

QUALIFICATIONS: Residents with qualifications for public office.

METHOD OF APPOINTMENT: Mayor with consent of council.

DATE OF APPOINTMENT: One member appointed annually at first regular meeting of the council or commission in May of each year.

TERM: Three years, overlapping.

FILLING VACANCIES:

COMPENSATION: Compensation fixed by council, not to exceed \$10 per day, nor more than \$50 per month for any month.

OFFICERS:

MEETINGS:

FINANCE:

POWERS: [11-1805, 11-1806 ; Title 11, Ch. 18]

REPORTS:

STATUTES: [11-1804 ; Title 11, Ch. 18, R.C.M., 1947]

NAME: BOARD OF TRUSTEES OF POLICE RESERVE FUND (1929)  
(Mandatory in first or second class cities and where-  
ever fund is created.)\*

FUNCTION: Administrative.

FORMATION: Required in first and second class cities; other cities  
and towns may provide by ordinance.

MEMBERS: Five.

QUALIFICATIONS: Mayor, city clerk, city attorney and two members of  
police department on active list.

METHOD OF SELECTION: Police members by a majority vote of all  
members of police department on active list.

DATE OF SELECTION: Elected between May 1-10 each year. Election  
certified to municipal clerk by chairman and secretary  
of the meeting at which selection was made.

TERM: Two years.

FILLING VACANCIES:

COMPENSATION:

OFFICER:

MEETINGS:

FINANCE: [11-1821 to 11-1827; 11-1834 to 11-1837]

POWERS: [11-1818 to 11-1837]

REPORTS: Annual report to state and council auditor on the finan-  
cial condition of the fund on or before April 1. Recom-  
mendations whether members should be placed on reserve  
list.

STATUTES: [11-1828; 11-1829, R.C.M., 1947]

\*NOTE: As of July 1, 1975 the department of administration  
will administer the police reserve fund.



NAME: DEPARTMENT OF PUBLIC SAFETY COMMISSION OF SUPERVISORS (CITY-COUNTY) (1973)

FUNCTION: Supervisory

FORMATION: Department: The legislative body of a city or town and the county commission in other than first and second class counties may establish a department of public safety to replace police and sheriff's offices.

Commission: Selected jointly by the county commissioners and the legislative body of the city or town.

MEMBERS: Not more than seven.

QUALIFICATIONS:

METHOD OF APPOINTMENT: Jointly by county commissioners and the legislative body of the city or town.

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: Salaries shall be paid by city or town and county.

POWERS: The commission supervises the department and establishes the salaries of the director and the employees. Commission may appoint the sheriff or he may be elected. The sheriff is director of the department; in the event of municipal county government the commission may appoint the sheriff or he may be elected.

REPORTS:

STATUTES: (16-2726 - 16-2730, R.C.M., 1947)

NAME: GARBAGE AND ASH COLLECTION DISTRICTS (1931; 1974)

FUNCTION: Regulatory: to define an area within which garbage and ash collection service may be provided and charged for.

FORMATION: . The board of county commissioners may create, abolish and change garbage and ash collection districts in thickly settled areas outside the limits of incorporated cities and towns. The board promulgates the rules under which a district may be created. The procedure must provide for a petition by the majority of taxpayers residing within the proposed district and for the survey of the proposed district by the county health officer as to boundaries and methods for disposal of garbage and ash within the district.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: The county commissioners approve a system of rates to be applied on a fair and equal basis to all persons utilizing the garbage collection service. The rates are established in relation to the amount and manner of collection and disposal service provided to the various types of customers, provided that no fee shall exceed three dollars a month for a family residential unit. The commissioners may collect the funds necessary to operate the district by placing a special assessment on the owners of the real property benefited by the service.

POWERS: The county commissioners provide for the maintenance and support of the district and may purchase or lease the necessary land. The commissioners may contract with individual contractors or firms to provide collection and disposal services.

REPORTS: (The county health officer is to survey the boundaries and methods for disposal within a proposed district.)

STATUTES: (16-1031.1 and 16-1031.2, R.C.M., 1947)

NAME: REFUSE DISPOSAL DISTRICTS (1969) and JOINT REFUSE DISPOSAL DISTRICTS (1971) (Board mandatory if districts created.)

FUNCTION: District: An area established with definite boundaries for the purpose of collecting and disposing of all refuse created in the district.  
Board: Administrative.

Joint District: To provide for the collection and/or disposal of refuse in an area which includes all or parts of two or more counties.  
Joint Board: Administrative.

FORMATION: District: Whenever it becomes necessary the county commissioners may create a refuse disposal district for the collection and/or disposal of refuse. Cities and towns may be included in the district with the approval of their legislative bodies. Before the commissions may create the district, the public is notified of their intention to do so and of the city council's intention, if any, to include the city in the district. Any property owner from the proposed district may make written protest. The commissioners may not create the district if it is protested by the owners of more than 50 percent of the family residential units and/or commercial and industrial service units within the proposed district.  
Board: Upon creation of a refuse disposal district the county commissioners appoint a board of directors for it.

Joint District: The commissioners of each county follow the procedure for establishing a refuse disposal district.  
Joint Board: They appoint a joint board of directors.

MEMBERS: District: Not less than five.  
Joint District: At least five.

QUALIFICATIONS: District Board: Not less than five members, each of whom shall be property owners in the district. The board is to consist of one county commissioner, one member from each included incorporated city or town, one member of the county or city-county board of health; the rest of the board is to consist of interested citizens distributed equally throughout the district. Where a full time city-county health department exists, the city-county board of health may be designated as the board of directors for the refuse disposal district.

Joint District Board: At least five members, each of whom shall be property owners in the district; one commissioner from each county involved; one member from each included incorporated municipality;

one member from each county or city-county board of health; the rest of the joint board of directors is to consist of interested citizens distributed equally throughout the district whose appointments are acceptable to all groups of county commissioners.

METHOD OF APPOINTMENT: By county commissioners.

DATE OF APPOINTMENT: Initially, upon creation of the district.

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: With the approval of the county commissioners the board establishes a fee for service to defray the cost of maintenance and operation of the district. The fee is assessed to all units in the district that are receiving a service; it is based on a family residential unit. Fees for commercial and industrial accounts are based on comparison with a typical residential unit as to volume and type of waste produced. The fee for disposal must not exceed one half of the total fee for both collection and disposal services. The fee is collected with taxes; if a property owner fails to pay the fee, it becomes a lien upon the property. The county treasurer keeps all money received by the district in a separate fund.

The board may borrow money to plan or finance a refuse disposal district using money from fees collected for repayment; payments for the initial cost of purchasing land and equipment may be spread over 20 years. The board may receive grants, gifts, or donations, including land, and may apply for and receive federal or state monies appropriated for aiding refuse disposal programs.

POWERS: With the approval of the county commissioners of the counties involved the board of a refuse disposal district may develop and administer a program for the collection or disposal of refuse in the district; employ personnel; obtain necessary equipment, material and land (including obtaining land by condemnation); cooperate with individuals, groups or public agencies to carry out effective programs; enforce department of health and environmental sciences or local board of health rules about the storage, collection or disposal of

waste; and, implement its program a section at a time.

REPORTS:

STATUTES: (69-6001 to 69-6013, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: Department of health and environmental sciences.

NAME: COUNTY ROAD DISTRICTS (1974) (One or more districts mandatory.)

FUNCTION: To define an area for the financing and supervision of road maintenance and construction.

FORMATION: The board of county commissioners may divide the county into suitable road districts. If the board does not divide the county into districts, the county itself constitutes one road district.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: The expenditures in any road district for labor and equipment, together with the compensation to be paid to the supervisor, shall not exceed the sum apportioned quarterly by the board to that district. However, if that sum is not sufficient, the board may appropriate any amount from the county road fund necessary for the use of the district. The full amount of all road taxes collected in remote districts must be expended annually by the county commissioners on the roads within the districts.

POWERS: The board of county commissioners may place each road district in charge of a competent road supervisor. The board shall order and direct each supervisor in the work to be done in his district.

REPORTS: The board and road supervisor of a county and all other county officers who may have the care or supervision of public highways and bridges must, upon the written request of the highway department, furnish all available information in connection with the construction and maintenance of the highways and bridges in their respective districts or counties.

STATUTES: (32-2801 to 32-2820, R.C.M., 1947, but essentially 32-2801, 32-2812 and 32-2815)

NOTE: RELATED STATE AGENCY: State highway department.  
See also: Local Improvement District.

NAME: ROUNDUP DISTRICTS (1925) Mandatory under certain circumstances.

FUNCTION: Roundup of abandoned horses.

FORMATION: The county commissioners must organize a district upon petition by at least 5 responsible, resident, taxpaying property owners engaged in the live-stock business or upon petition of a reputable livestock association. Notice to be published and posted and filed with the department of live-stock and the county clerk.

MEMBERS: Roundup foreman.

QUALIFICATIONS: Post bond.

METHOD OF APPOINTMENT: By county commissioners.

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS: Roundup foreman.

MEETINGS:

FINANCE: All expense of the roundup to be paid by the petitioners. Petitioners may be reimbursed from abandoned horse fund. No county monies may be expended. Money from sale or reclaiming of abandoned horses to be deposited in abandoned horse fund; less costs of keeping and feeding horse, roundup fee, taxes and penalties. Balance of fund, if any, transferred annually to county general fund, subject to division with state (state livestock tax share).

POWERS: Roundup, sell, return to claimant, or destroy abandoned horses, as prescribed.

REPORTS: Roundup foreman to keep an accurate record of proceedings and file one copy each with the county clerk, the county assessor, and the county treasurer.

STATUTES: (46-1801 thru 46-1815, R.C.M., 1947)

RELATED AGENCIES: Department of livestock.



NAME: RURAL IMPROVEMENT DISTRICTS (1915) AND MULTI-COUNTY DISTRICT BOARD (1963) (Board mandatory if multi-county district created.)

FUNCTION: District: to define an area within which improvements can be made and charged for.  
Multi-county district board: Administrative.

FORMATION: Upon the petition of 60 percent of the affected freeholders, the board of county commissioners may create special improvement districts in thickly populated localities outside the limits of incorporated towns and cities for the purpose of building, constructing, or acquiring by purchase devices intended to protect the safety of the public from open ditches carrying irrigation or other water, and maintaining sanitary and storm sewers, light systems, waterworks plants, water systems and whatever other special improvements may be petitioned for. Before creating a district the county commissioners must pass a resolution of intention designating the boundaries of the district, the general character of the improvements to be made, the name of the engineer who is to have charge of the work, and an estimate of its costs. The county commissioners notify the public of their resolution of intention and of when and where the commissioners will hear and pass upon all protests.

The county commissioners may also declare an extended district when the improvement is of more than local benefit or estimates for its costs exceed one-half the assessed value of the lots and lands assessed. Any owner of property liable to be assessed may deliver to the county clerk a written protest to the creation or extension of a district. The decision of the commissioners is final, except that if the owners of more than 50 percent of the area to be assessed protest the proposed improvements, no further action shall be taken for six months. However, in the case of the construction of sanitary sewers the protest may be overruled by a unanimous vote of the board of county commissioners. Before ordering the proposed improvements, the county commissioners pass a resolution creating the district.

A rural improvement district may include a part or all of any county or may include areas in more than one county.

Board: If a rural improvement district includes area in more than one county, the board of county commissioners of each county included appoint a board of trustees at a joint session.

MEMBERS: Three

QUALIFICATIONS: One trustee from each county within the district.

METHOD OF APPOINTMENT: By county commissioners of the county or counties involved.

DATE OF APPOINTMENT:

TERM: Original appointees serve staggered one, two, and three year terms; thereafter, trustees serve three year terms.

FILLING VACANCIES: The board of county commissioners appoint a trustee to fill any vacancy.

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: In order to defray the costs of making the improvements for which the district was created, the board of county commissioners assesses the entire cost of the improvements against the entire district; the amount of assessment levied against each parcel of land is in proportion to the amount of area in that parcel compared to the entire district, excluding streets, avenues, alleys and public places. Or, where the district is more than five miles from an incorporated city or town, the assessment may be based upon the assessed value of the lots or pieces of land within the district. If they are specially benefitted by an improvement, corner lots may be assessed double the amount of inside lots on a block. Federal property is excluded from assessment and its portion of the costs is paid by the county from its general fund.

The payment of the assessment to defray the cost of constructing any improvements in the district may be spread in equal installments over a term not to exceed thirty years, or, if federal loans are available, forty years. Expenses incidental to the formation of an improvement district are chargeable against the district. Any improvement district special assessment constitutes a lien against the property upon which the assessment is made. The county commissioners must assess a district to maintain any improvements within it which were petitioned for or created and constructed by the state or federal government. Assessments for the maintenance and operation of previously constructed lighting systems may be made in proportion to the assessed value of the lands within the district or in proportion to the lineal front footage of each tract which abuts the street or roadway along which the

lighting system is to be maintained, or in proportion to the area of that portion of each tract that is included in the district; both the appropriate method and the apportionment are decided by the county commissioners. All costs and expenses incurred in the construction or maintenance of the improvements specified for a rural improvement district are to be paid for by special improvement district bonds or warrants, for which a form is prescribed by statute. The county commissioners may establish a revolving fund known as the "Rural Special Improvement District Revolving Fund" in order to assure prompt payment of district bonds or warrants. The county commissioners may make loans from the general fund to the revolving fund or may levy a tax for the revolving fund on all taxable property in the county, not to exceed in any one year five percent of the principal amount of district bonds and warrants then outstanding. Whenever there is in the revolving funds an amount in excess of the amount the commissioners consider necessary for the payment or redemption of maturing bonds or warrants or the interest on them, the board may order part or all of the excess transferred to the general fund of the county.

POWERS: The board of trustees of a (multi-county) rural improvement district has all the powers and duties with respect to its multi-county district that the board of county commissioners has with respect to a district including the area of only one county. The county commissioners have the power not more than once a year of changing by resolution the boundaries of any maintenance district with respect to the method of securing funds for lighting system districts.

REPORTS:

STATUTES: (16-1601 to 16-1638, R.C.M., 1947)

NAME: SCHOOL DISTRICT BOARD OF TRUSTEES

School districts are not within the jurisdiction of local government study commissions or of the state commission on local government.

STATUTES: (Title 75, especially chapter 59, R.C.M., 1947)

SCHOOL RELATED BOARDS INCLUDE:

-Boards of School Budget Supervisors 75-6703

The board of county commissioners serves as the board of school budget supervisors.

-County Transportation Committee 75-7014

County officials serve on the county transportation committee.

-Community College Districts and Board

The county treasurer serves as treasurer of the district.

NAME: SINKING FUND TRUSTEES (1917) Mandatory.

FUNCTION: Manage sinking fund.

FORMATION:

MEMBERS: Commission, city manager, and director of finance.

QUALIFICATIONS: Ex officio.

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS: Mayor is president, director of finance is secretary.

MEETINGS:

FINANCE:

POWERS: Trustees manage and control the sinking fund as provided by state law or by ordinance.

REPORTS:

STATUTES: (11-3268, R.C.M., 1947)

## SPECIAL IMPROVEMENT DISTRICTS (1913)

Note: Because the laws governing special improvement districts are particularly numerous and varied, a different format has been utilized here to deal with them. The section on special improvement districts has been taken from the 1971 revision of the Municipal Handbook by Dale A. Harris.

### GENERAL PROVISIONS

When public interest or convenience may require, the council may create special improvement districts to construct and maintain various specified improvements (11-2202).

The council may create special improvement districts, designating them by number; extend the time for payment for assessments levied on the districts to not more than 20 years; make the assessments payable in installments, and pay all expenses incurred in making the improvements with special improvement warrants (11-982, enacted in 1921 and last amended 1971).

A special assessment differs from a tax in that it is levied against those who receive relative benefits from an improvement, whereas taxes are compulsory contributions for the support of government without any necessary relationship to benefits received.

The theory of local assessments is that the improvements for which they are levied afford a remuneration in the way of benefits (Power v. Helena, 43 M 336, 341, 116 P 415 (1911) ). Special improvement bonds are not a general obligation of the municipality (State ex rel. Traux v. Lima 121 M 152, 193 P 2d 1008, 1010 (1948) ).

### CREATION OF SPECIAL IMPROVEMENT DISTRICTS

#### Procedure

Title 11, Chapter 22, "Special Improvement Districts" sets the general requirements for the creation of special improvement districts. Material relating generally to such districts is noted here; material relating to particular types of improvements is noted under the particular subject. The procedure for creating special improvement districts, which must be created under statutory requirements other than the general statutes for the creation of special improvement districts, are noted under the separate headings indicated:\*

Special improvement, repair and/or maintenance districts: Part VI, Chapter 3, Repair and/or Maintenance Districts.

Street parking maintenance districts: Part V, Chapter I, Streets, Sidewalks, Alleys.

Street lighting districts: Part VI, Chapter 3, Street Lighting Districts.

Street sprinkling districts: Part VI, Chapter 3, Street Sprinkling Districts.

\*The references are to Parts and Chapters of Harris's Municipal Handbook.

Pedestrian mall and off-street parking districts: Part V, Chapter 1, Streets, Sidewalks, Alleys.  
Off-street parking leasing districts: Part V, Chapter 1, Streets, Sidewalks, Alleys.  
Metropolitan sanitary and/or storm sewer districts: Part V, Chapter 1, Water and Water Service.  
Conversion of electrical and communication facilities to underground locations: Part V, Chapter 1, Utilities.  
Rural improvement districts: Part VI, Chapter 3, Rural Improvement Districts.  
Construction of sidewalks, curbs, gutter, and alley approaches without formation of special improvement districts: Part V, Chapter 1, Street, Sidewalk, Alleys.

#### Purposes

Special improvement districts may be created under the general procedure in Title 11, Chapter 22 for the following purposes:

Construction and maintenance of devices to protect the public from open ditches carrying irrigation or other water.

Construction of municipal swimming pools and other recreation facilities.

Ordering the whole or any portion of any street, avenue, alley or public way:

- Graded or regraded to the official grade
- Planked or replanked
- Macadamized or remacadamized
- Graveled or regraded
- Piled or repiled
- Capped or recapped
- Surfaced or resurfaced
- Oiled or reoiled

Construction or reconstruction therein of:

- Sidewalks
- Cross walks
- Culverts
- Bridges
- Gutters
- Curbs
- Steps
- Parking including planting of grass plots and setting out of trees
- Sewers
- Ditches
- Drains
- Conduits

Channels for sanitary and/or drainage purposes

- Outlets
- Cesspools
- Manholes
- Catchbasins
- Flush tanks
- Septic tanks

Waterworks

Water mains and their extensions

Pipes

Hydrants

Hose connections for irrigation purposes

Appliances for fire protection

Tunnels

Viaducts

Conduits

Subways

Breakwaters

Levees

Retaining walls

Bulkheads

Walls of rock or other material to protect street improvements  
from overflow of water

Opening of streets, alleys avenues

Planting of trees on streets, alleys, avenues

Maintaining any and all improvements

Construction or reconstruction of:

- Tunnels
- Sewers
- Ditches
- Drainage
- Conduits

Channels for sanitary and/or drainage purposes with:

- Outlets
- Cesspools
- Manholes
- Catchbasins
- Flushtanks
- Septic tanks
- Connection sewers
- Ditches



Drains  
Conduits  
Channels  
Other appurtenances  
Pipes  
Hose connections for irrigation  
Hydrants and other appliances for fire protection  
Breakwaters  
Levees  
Retaining walls  
Bulkheads  
Walls of rock or other material to protect the streets,  
public ways and other property in the city from over-  
flow by water

Ordering any work to be done deemed necessary to improve:

Streets  
Avenues  
Sidewalks  
Alleys  
Places or public ways  
Property or right of way of the city

Defray the cost of acquiring private property for opening or extending  
any street, avenue or alley within the municipal limits [11-2202].

#### RESOLUTION OF INTENTION

Prior to creating a special improvement district the council must pass a  
resolution of intention designating the number of the district, describing  
its boundaries, stating the general character of the improvements to be  
made; and estimating its cost [11-2204].

If an extended district is created this must be stated in the resolution of  
intention [11-2205].

The council must declare in the resolution of intention that land belonging  
to the United States or mandatory of the government is exempt from any  
assessment and that the cost of improvements in front of federal land will  
be paid by the municipality from its general fund [11-2214].

In all resolutions, notices and orders subsequent to the initial resolution  
of intention it is sufficient briefly to describe the work of the assessment  
district, and to refer to the resolution of intention for further particu-  
lars [11-2203].

The council may include in one proceeding, under one resolution of intention, and in one contract, any of the different kinds of work mentioned in the statute and any number of streets and rights of way [11-2204(2)].

#### SERVICE OF NOTICE

After passage of the resolution of intention the council must give notice of the passage. This notice must be published for five days in a daily newspaper or in one issue of a weekly paper published in the municipality. If no paper is published in the municipality notice may be posted for five days in three public places in the municipality.

On the day this notice is published or posted, a copy of the notice is to be mailed to each person, firm or corporation having real property within the proposed district listed in his name on the last completed assessment roll for state, county, and school district taxes, at his last known address [11-2204; 11-2241].

The notice must describe the general character of the proposed improvements, the estimated cost, the time and place where the council will hear and pass on protests that may be made against creation of the district, and it must refer to the resolution of intention for the description of the district boundaries [11-2204].

Additional requirements for publication and posting of notices required at various stages in the creation of special improvement districts are prescribed in detail. Proof of the publication or posting of any notice is made by affidavit of the owner, publisher, printer, or clerk of the newspaper, or of the poster of the notice [11-2241, 11-2243].

#### PROTESTS

Within 15 days after the first publication of the notice, any owner of property liable to be assessed may make written protest against the proposed work, or against the extent or creation of the district. The protest must be filed with the city clerk by 5:00 p.m. of the last day within the 15 day period. The clerk endorses each protest with the date and hour of its receipt [11-2206].

At its next regular meeting the council must hear and pass upon all such protests. The council's decision is conclusive, except that if more than 50 percent of the owners of property to be assessed protest, no further proceedings may be taken for six months [11-2206].

Protests must be weighed in the same manner as the assessments to give a greater voice to those who pay a greater amount of the tax [Smith v. Bozeman, 144 M 528, 398 P 2d 462 (1965)].

For a district to pave one cross block connecting at a right angle with streets or avenues already paved for a continuous distance of three or more blocks the council may overrule all objections and pave the proposed block with gravel and oil surface [11-2206(2)].

For a special improvement district to construct a sanitary sewer, protests by owners of less than 75 percent of the property affected may be overruled by a majority of the council [11-2206(2)].

#### RESOLUTION CREATING THE DISTRICT

If no protests are filed, or if protests are insufficient the council may order the improvements to be made. The council passes a resolution creating the special improvement district in accordance with the resolution of intention [11-112207].

#### NOTICE OF CALL FOR BIDS

Notice calling for bids for the proposed improvements shall be published at least twice in a newspaper published and circulated in the municipality, as designated by the council for that purpose. If no newspaper is published in the municipality notice of call for bids shall be posted in at least three public places [11-2209].

The time fixed for opening bids shall be not less than ten days from final publication of notice. All bids shall be accompanied by a certified check for an amount not less than five percent of the total amount of the proposal. Proposals are to be delivered to the municipal clerk [11-2209].

#### AWARD OF CONTRACT

The council must open and read the bids in public session. No bid may be considered unless accompanied by a certified check. The council, in the public interest, may reject any and all proposals or bids and may reject the bid of any former contractor who has been delinquent or unfaithful, and all proposals or bids other than the lowest regular proposal or bid of any responsible bidder [11-2209].

If the bids are rejected, or no bids are received, the council may readvertise for bids at any time within two years [11-2209].

The council may award the contract to the lowest responsible bidder at the prices named in his bid. The checks accompanying accepted bids must be retained until a contract has been entered into, either by the lowest bidder or by the owners of over 50 percent of the frontage who undertake the improvement [11-2209].

Within three days after award of the contract, owners of three-fourths of the frontage liable to be assessed may elect to do the work at a price at least five percent less than the price at which the contract was awarded; absent such an election, or unless such owners commence the work within 15 days after contracting to do so, the council must enter into a contract with the original bidder to whom the contract was awarded [11-2210].

If the contractor fails to enter into a contract within 15 days after notice of the award, the council must again advertise for bids [11-2211]. If the contractor defaults after entering into the contract the council may relet the contract and deduct any cost in excess of the price from any moneys due the contractor, or recover the cost of such work in a suit against the defaulting contractor [11-2212].

All contractors for street work must furnish a performance bond of not less than 25 percent of the amount of the contract [11-2213].

Payments to contractors may be made from time to time on estimates made by the engineer in charge of the improvements, or on completion of the improvements and their acceptance by the council.

#### PLACING WIRES UNDERGROUND

Before commencing work in a special improvement district the council may require a public service corporation, or company, or person occupying a street, avenue or alley, at their own expense and within a reasonable time to be fixed by the council, to place in underground conduits all wires, electric conduits, telephone, telegraph, power, or power transmission lines, appurtenances or appliances; but the whole cost shall not exceed \$1.50 per lineal foot, plus the cost of the pipe laid the entire length of water mains in the district [11-2202].

#### CONNECTIONS WITH WATER AND GAS PIPES

The council may require connections from gas pipes, water pipes, steam heating pipes and sewers to the curb line of the adjacent property to be made before permanent improvement of the street, and may regulate the making of such connections on streets already improved, or on unimproved streets; if owners of the property on such streets fail to make such connections within the time fixed by the council, it may cause the connections to be made, and assess the entire expense against the property in front of which the connections are made [11-2203].

## ASSESSMENT

### Method of Assessment

To defray the cost of making improvements, the council must by resolution levy and assess a tax on all property in the district, using one of the following two methods [11-2222]:

Area Basis: The council may assess each lot or parcel of land within the district for that portion of the entire cost of the improvement which the area of the lot or parcel bears to the entire area of the district, exclusive of streets, avenues, alleys and public places. The council may provide that land which lies within 25 feet of the line of the street on which the improvement is to be made bear double the amount of cost of the improvement per square foot borne by other land in the district [11-2214]. This method of assessment must be used when the council creates an extended district.

Front-Foot Basis: The council may assess each lot or parcel of land in proportion to the lineal feet abutting the street on which the improvement is made; but that this method of apportionment may not be used for an extended district [11-2214].

Combination of Bases: Where curbs, gutters, alley approaches, streets, crossings, and utility service connections are an integral part of storm sewer districts, sanitary sewer districts or street pavement districts, the council may assess part of the improvements on the area basis, other parts on the lineal foot basis, and utility service connections upon a lump sum based on the bid price assessed against property served by the connections [11-2214].

### Intersections

Under either method, the council has discretion whether to pay the cost of street or alley intersections out of available funds or to include it in the assessments to be paid by the property in the district [11-2214].

### Extended Special Improvement Districts

The council may create an extended district including lots not fronting on the improvement, if in the opinion of the city council the contemplated improvement is of more than local or ordinary public benefit, or if the total expenses would exceed one-half of the total assessed value of the property fronting on the improvement.

The council, in its resolution of intention, shall define the district benefited by the improvements and to be assessed to pay the costs and expenses [11-2205]. Extended districts are assessed by the area method [11-2214].

#### Other Assessment Provisions

The council may except from a district any work already done on the official grade on a street. The lots or portions of lots fronting upon excepted work already done shall not be included in the assessment for the class of work from which the exception is made; but this is not construed to affect the special provisions as to grading contained in section 11-2214 [11-2204(2)(4)].

Property owners who have graded the street fronting their property to the established grade and have received a certificate for such work from the city engineer receive credit for this work against future assessments for grading of the street [11-2214(4)(5)].

The council may include within a special improvement district and assess for its proportionate share, unplatted, undedicated, or unsurveyed land lying wholly within district boundaries and separating one platted part of the municipality from another [11-2215].

The council must declare in the resolution of intention that the costs of improvements in front of property belonging to the United States or mandatory of the government will be paid by the municipality from its general fund [11-2214].

#### Assessment Resolution

The resolution must describe each lot and parcel of land with the name of the owner, if known, and the amount of each partial payment to be made, and the day when the payment shall become delinquent. Payments of assessments may be spread over not more than 20 years, payable in equal annual installments [11-2222]. Notice of this resolution must be published five days prior to its final adoption and a hearing must be held at which all objections must be heard [11-2223].

A copy of the resolution, certified by the municipal clerk, must be delivered to the municipal treasurer within two days after its passage [11-2223].

#### Amount of Assessment

The assessment can be made to defray the cost of making improvements, or acquiring property for opening, widening, or extending any street or alley, or to defray the cost of changing the grade of any street, avenue, or alley [11-2222].

The resolution of intention must include an approximate estimate of the cost [11-2204]. The state supreme court has held that this "approximate estimate" should not be construed liberally and that the amount of the contract for improvements cannot legally exceed by seven and one-half percent the "approximate estimate of the cost thereof" as included in the resolution of intention [Koich v. Helena, 132 M 194, 315 P 2d 811 (1957)].

#### Incidental Expenses

The cost connected with and incidental to the formation of any special improvement district, including costs of preparation of plans, specifications, maps, plats, engineering, superintendence, and inspection, and preparation of the assessment roll, are a part of the expense of making the improvements within the special improvement district [11-2228]. Incidental expenses include the compensation of the city engineer for work done by him; the cost of printing and advertising required by statute; the compensation of persons appointed by the municipal engineer to superintend work; and the expenses of making the assessments [11-2241(3)].

#### DAMAGES

Damages awarded against the special improvement district are added to and constitute a part of the cost of making the improvements and are provided for in the resolution levying assessments to defray the costs of making the improvement or in a supplemental assessment resolution [11-2225].

#### COLLECTION, INTEREST, DELINQUENCY, AND PAYMENT UNDER PROTEST

The county treasurer or city treasurer collects assessments at the same time he collects general municipal taxes [11-2233, 11-2235]. All assessments or installments are payable by November 30 [11-2236; 84-4104].

Simple interest is charged on all special assessments; if the assessment is payable in one installment the interest is collected therewith; if the assessment is payable in installments interest is payable with the first installment as fixed in the resolution levying the assessment, and with remaining installments interest is payable on the whole amount remaining unpaid [11-2227].

An assessment for a special improvement district constitutes a lien upon the property assessed [11-2229]. Mistakes and misnomers as to ownership or description of property do not invalidate assessments or liens [11-2230, 11-2240].

For provisions regarding delinquency in payment of assessments see Sections 11-2234 to 11-2237.

For correction of assessments and collection upon levy see Section 11-2238. Assessments may be paid under protest and action to recover may be brought, within 60 days after such payment, against the officer to whom the assessment was paid, or against the municipality [11-2239].

#### SPECIAL IMPROVEMENT DISTRICT BONDS AND WARRANTS

Special improvement district bonds are not general obligations of the city, and their payment is strictly limited to the fund provided by statute and ordinance [State ex rel. Griffith v. Shelby, 107 M 571, 576, 87 P 2d 183 (1939)].

The provisions of section 11-2313, 11-2314 and 11-2315 with regard to notice of sale, publication of notice and manner and method of selling general obligation bonds govern these same procedures for improvement district bonds [11-2232]. See Sale Resolution and Sale of Bonds in Part VI, Chapter 2.

#### Purpose for Which Bonds and Warrants May be Issued

The council may issue bonds or warrants in an amount sufficient to pay that part of the total cost of making the improvement which is to be assessed against the property within the district [11-2232]. All costs incurred in the construction of any improvement in any improvement district shall be paid for by special improvement district bonds or warrants [11-2231].

#### Form and Terms

The form of bonds is prescribed by statute [11-2231]. They are drawn against the special improvement district fund created for the district, must be registered, signed by mayor and clerk and bear the corporate seal of the municipality, must be in denominations of \$100 or fractions or multiples thereof, may be issued in installments, and may extend over a period not more than 20 years, and are callable [11-2231].

#### Investment of Money Realized From the Sale of Bonds

The council may invest money realized from the sale of bonds, for which there is no immediate demand, in any time or savings deposits, United States certificates of debt, United States treasury notes or United States treasury bonds having a maturity date of one year or less. Interest earned from such investments is credited to the municipal bond sinking fund [11-1310(2)].



## Redemption of Bonds and Warrants

The treasurer shall redeem warrants or bonds on the presentation of coupons if there are funds in the special improvement district funds.

The treasurer is to call in outstanding bonds or warrants for payment when there are funds in the special improvement district fund after the payment of interest. A date for redemption is fixed by the treasurer and he is to call in for payment outstanding bonds or warrants, which will equal the amount of the fund on the date of redemption. Ten days notice must be given by publication once in a newspaper or, at the option of the treasurer, by written notice to the holders of the warrants or bonds if their address is known, of the number of warrants or bonds and the date on which payment will be made. Interest ceases on the date of redemption [11-2231].

## INVESTMENT OF SPECIAL IMPROVEMENT DISTRICT FUNDS

The council may invest interest and sinking fund money of special improvement districts in time deposits of a bank insured by the federal deposit insurance corporation, or in direct obligations of the United States government payable within 180 days. All interest collected on such deposits or investments shall be credited to the fund from which the money was drawn [11-2288].

## SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND

### CREATION OF FUND

The council must by ordinance maintain a fund designated as the "Special Improvement District Revolving Fund" to secure prompt payment of any special improvement district bonds or sidewalk, curb and alley approach warrants and interest as it becomes due [11-2269].

The council may transfer necessary funds to this revolving fund from the general fund, on a loan basis, and may also levy a general tax on all taxable property in the municipality, the proceeds from which, when added to the transfer from the general fund, will not in any one year exceed five percent of the principal amount of then outstanding improvement bonds and warrants [11-2270].

Levies imposed to pay special improvement district revolving funds of municipalities may be made in addition to the all-purpose levy [84-4701.1].

### OPERATION OF FUND

A deficiency exists in a district fund whenever there is not sufficient money in the fund to pay principal and interest that is due. The council,

by order, may make loans and advances from the revolving fund to district funds having insufficient funds to pay special improvement district bonds or sidewalk, curb and alley approach warrants. The money so loaned is used to pay principal and interest that is due on the bonds or warrants [11-2271].

#### COVENANTS IN SPECIAL IMPROVEMENT BONDS OR WARRANTS

The council may undertake in any public offering of special improvement district bonds or warrants to issue orders annually authorizing loans or advances from the revolving fund to the extent that funds are available, to the district fund in amounts sufficient to make good any deficiency in the bond and interest accounts. The council further may agree to provide funds for such revolving fund by making the annual levy or loan from the general fund up to the maximum limitation set by Section 11-2270 [11-2271(2)].

#### REPAYMENT OF REVOLVING FUND LOANS

Loans from the revolving fund are by council order repaid from district funds whenever there is money in the district fund that is not required for payment of any bond or warrant or interest. The revolving fund has a lien on all unpaid assessments and installments of assessments of a district to the amount of its loan to the district together with interest [11-2272].

#### SURPLUS DISTRICT FUNDS

Surplus reserves not needed for immediate use may be invested in securities of the United States or certificates of deposit, approved by the city council. The interest earned from such investments shall be placed to the credit of the revolving fund [11-2272]. When all the bonds and warrants issued on any special improvement district have been fully paid, all money remaining in the district fund is by council order transferred to the revolving fund [11-2272].

#### USE OF EXCESS MONEY IN THE REVOLVING FUND

Whenever there is money in the revolving fund in excess of the amount which the council deems necessary for payment or redemption of maturing bonds or warrants or interest thereon, the council may (1) by the vote of all of its members at a meeting called for that purpose, order such excess or any part transferred to the general fund of the municipality, or (2) use the excess or any part to purchase property, against which there is any unpaid assessment for special improvements on account whereof there are outstanding special improvement district bonds or warrants of the municipality, at sales for delinquent taxes or assessments.

The council may sell the tax certificates, or lease, sell or otherwise dispose of the title to the property and all proceeds belong to the revolving

fund and are subject to transfer in whole or in part to the general fund by vote of all of the members of the council at a meeting called for that purpose [11-2273].

#### SUPPLEMENTAL REVOLVING FUND BONDS

##### ORDINANCE CREATING FUND, PURPOSE

A supplemental revolving fund may by ordinance be established from net revenues of parking meters subject to the approval of a majority of the qualified electors voting at a general or special election [11-2275]. The supplemental revolving fund is used to guarantee special improvement districts bonds issued for paving, grading, opening or widening any street avenue, alley or other public way and/or for construction of curbs or gutters in districts where 80 percent of the area to be assessed for such improvements have been improved by erection of permanent structures having a value greater than the value of the parcels without such improvements [11-2274].

##### DETERMINING RESOLUTION

After the award of the contract and prior to issuance of improvement district bonds the council by resolution, subject to the approval of a majority of the qualified electors voting on the question at a special or general election, may determine that bonds guaranteed by the supplemental revolving fund may be issued and may propose to issue such bonds [11-2276].

##### RESOLUTION AUTHORIZING ISSUANCE OF BONDS

After approval of the voters the council may by resolution provide for the issuance of bonds guaranteed by the supplemental revolving fund. The resolution shall fix the amount, maturity, and interest rate and provide for sale of bonds as the council shall determine. The resolution may contain reasonable covenants for the protection of bond holders [11-2277].

##### FORM OF BONDS

The bonds are to be substantially in the form provided by Section 11-2231. The bonds must mature within ten years; they may mature at one time not to exceed the maximum maturity of assessments; or they may mature in installments at various times during the term of assessments. The bonds shall bear interest payable annually or semiannually, as the council shall determine, and are subject to redemption prior to maturity if so determined

by the council, and may be payable at any suitable bank or trust company either within or outside Montana [11-2277].

#### COURT DETERMINATION OF VALIDITY OF PROCEEDINGS

Within ten days after the adoption of the resolution providing for the issuance of bonds the council may file a petition in the district court of the judicial district in which the municipality is located, to determine the validity of the proceedings for issuance of bonds guaranteed by the supplemental revolving fund and for levy of the special assessment [11-2280].

#### OPERATION AND USE OF FUND

A deficiency exists in any district fund whenever there is not money in the fund to pay principal and interest due. Money in the supplemental revolving fund is first loaned to the various district funds whose bonds are guaranteed to make up any deficiency in these funds. If the deficit exceeds the money in the supplemental revolving fund then the money in the revolving fund may be similarly loaned until the deficiency has been made good.

Both revolving funds have concurrent liens on the unpaid assessments and on the money in the improvement district fund for all loans. But such loans are not repaid so long as any principal or interest on the bonds remains unpaid [11-2278].

#### REPAIR AND/OR MAINTENANCE DISTRICTS

Where it is advisable in connection with any special improvement district to provide in addition to the construction of the proposed improvements for repair to existing facilities, or for maintenance of improvements or repairs, or for both repairs and maintenance, the council may include in the resolution or ordinance:

- (1) creating such special improvement districts or
- (2) providing for assessments to defray the cost of improvements,
- (3) repairs, and maintenance,

a statement showing the allocation of the total amounts, either in dollars and cents or in percentages of total amounts, to be assessed or assessed for:

- (1) improvement
- (2) repairs
- (3) maintenance [11-2286].

## REMEDIES FOR CORRECTION OF ERRORS, FOR DISCONTINUANCE OF SYSTEM

Provisions are similar to those for special improvement district generally; but there are some differences:

Not more than three-fourths and not less than one-fourth of the cost of installation and maintenance is to be paid by the property owners of the district [11-2245; 11-2246]. When the area method of assessment is used the council may provide that each square foot of land embraced within any corner lot bears double the amount of the cost of such improvement born per square foot of any inside lot [11-2246].

The resolution of intention must include an approximate estimate of the cost of maintaining lights and supplying electrical current for the first year and the proportion of such cost to be assessed against the property within the district [11-2247]. The work may be done by contract or by the city [11-2247(7)]. Bonds may not extend over more than eight years [11-2249]. The council, before the first Monday of October of each year, must adopt a resolution levying and assessing property within lighting districts with an amount equal to the proportion of the cost of maintenance and electrical current to be assessed against the property [11-2252].

### STREET SPRINKLING DISTRICTS

A municipality may improve streets, avenues, and alleys within sprinkling districts, so that sprinkling and applying of water, oil, salt, or other dust palliative will have durable and continuing benefit [11-2258]. It may borrow from the federal government [11-2259], maintain the improvements [11-2260], and assess the costs of such improvements and maintenance [11-2261]. The assessments must be preceded by publication of notice, and if 40 percent or more of affected property owners object, no action may be taken [11-2262].

Street sprinkling districts may be created by resolution (without provision for protests, etc.) [11-2263, 11-2264], and may be changed after one calendar year [11-2265]. The sprinkling may be done by municipal employees or by contract. By the first Monday in November each year the council must adopt a resolution levying and assessing at least 75 percent of the cost to the property in the districts, exclusive of parks and public places [11-2266]. Assessment may be made either on a frontage basis, an area basis, or a prescribed combination of the two [11-2267]. Prior to final adoption of the resolution levying the assessments, notice must be published; the council must hear all objections; and it may modify the assessment in whole or in part (but there is no provision that protests by a specified percentage invalidate the resolution)[11-2268].

The council shall designate the special district as a special improvement and repair district, or a special improvement and maintenance district, or a special improvement, repair and maintenance district [11-2287].

#### RURAL IMPROVEMENT DISTRICTS

Upon petition by 60 percent of the freeholders affected, the county commissioners may create a special improvement district in thickly populated localities outside municipal limits: to construct and maintain devices for protection of the public from: open ditches carrying irrigation or other water, to construct or purchase and maintain sanitary and storm sewers, light systems, waterworks plants, water systems, sidewalks and other special improvements petitioned for [16-1601(1), 16-1601(2)].

Where property in a rural improvement district becomes part of a municipality, the city or town may take over and control it, and the county commissioners may transfer the operation and control on agreed terms and conditions [16-1631, 16-1632].

#### STREET LIGHTING DISTRICTS

The council may create improvement districts for lighting streets and public highways; not more than three-fourths and not less than one-fourth of the cost of installation and maintenance is to be paid by the property owners of the district [11-2245, 11-2246]. The cost of such special lighting districts may be assessed against adjacent property. The council may make assessments as provided in section 11-2245 on adjacent property lying outside city limits as long as the part of the street to be lighted is adjacent to the boundary line of the city or town [11-2201]. [Annotation indicates that a district may be created to maintain a system owned by a corporation or individual, but the district may not be utilized to pay "maintenance" costs which are not actually maintenance costs but which are designed to reimburse a power company for its own costs incurred in installing its own system.]

Special statutory provision is made, in lighting improvement districts, for:

- (1) Apportionment of costs and methods of assessment [11-2246].
- (2) Procedure for creating district, resolution of intention, notice, protest, hearing, and resolution creating district, and contracts for equipment and maintenance [11-2247].
- (3) Objections to irregular proceedings [11-2248].
- (4) Issuance of bonds and warrants [11-2249].
- (5) What may be deemed incidental expenses; engineer must keep accounts [11-2250].
- (6) Levying of assessments; notice, hearing [11-2251, 11-2201].
- (7) Maintenance of system; assessment of costs [11-2252].
- (8) Effect of mistakes or misnomers [11-2253].

NAME: COUNTY TAX APPEAL BOARD (MANDATORY) (1891)

FUNCTION: Quasi-judicial

FORMATION: The board of county commissioners are required to appoint a county tax appeal board.

MEMBERS: Three

QUALIFICATIONS: Residents of the county in which they serve.

METHOD OF APPOINTMENT: By county commissioners.

DATE OF APPOINTMENT: Before the first day of July.

TERM: Four years

FILLING VACANCIES:

COMPENSATION: Twenty-five dollars a day and travel expenses when the tax appeal board is in session to hear taxpayers' appeals from property tax assessments or while attending meetings called by the state tax appeal board.

OFFICERS:

MEETINGS: The county tax appeal board must meet on the third Monday of July in each year to hear protests concerning assessments made by the department of revenue. It must continue in session for that purpose from time to time until the business of hearing protests is disposed of, but not later than the second Monday in August.

FINANCE: Travel expenses, compensation and all other incidental expenses are paid from the appropriation to the state tax appeal board, except that office space and equipment are furnished by the county.

POWERS: In connection with any appeal appropriately brought to it the county tax appeal board has the authority to change any assessment or fix the assessment at some other level.

REPORTS: A copy of the minutes of the county tax appeal board must be transmitted to the state tax appeal board no later than three days after the third Monday in August. If the decision of the county tax appeal board is appealed, all testimony must be forwarded in writing together with all exhibits to the state tax appeal board.

STATUTES: 84-601 to 84-604, R.C.M., 1947)

NOTE: RELATED STATE AGENCY: State tax appeal board.

NAME: TELEVISION DISTRICT (1961) (Board mandatory if district created.)

FUNCTION: District: to provide service from VHF booster and VHF translator television broadcasting systems.  
Board: Administrative

FORMATION: District: A television translator district may include all or parts of one or more counties and may include any municipality included in the counties. A petition to form a district is presented to the county clerk and recorder of each of the counties in which any part of the proposed district is to be located. The petitions must be signed by at least 51 percent of the registered electors who are owners of television sets within the proposed district. The petition designates the boundaries of the district by section, indicates the approximate number of people to be benefited and contains a brief description of the proposed system including type of construction, location, and approximate cost of installation. Each clerk and recorder certifies that the required number of signatures from his county are on the petition. The county commissioners of the county providing the most signatures publish notice of and hold a public hearing on the proposed district, after which they must adopt a resolution either creating or denying the district.

Board: As part of the order creating the district, the county commissioners appoint a board of trustees to administer its affairs.

MEMBERS: Three

QUALIFICATIONS: Each trustee is a resident and owner of a television set from within the district. If more than one county is involved, one of the trustees is appointed from the county having the least number of television sets that will be benefited by the district.

METHOD OF APPOINTMENT: By county commissioners.

DATE OF APPOINTMENT: Upon creation of district and thereafter as the staggered terms expire.

TERM: Three years, overlapping. Originally for one, two, and three years (with the trustee from the county with the fewest sets serving for the initial three year term).

FILLING VACANCIES: The county commissioners appoint a trustee to fill the unexpired term.

COMPENSATION: None, but reimbursed for reasonable expenses.

OFFICERS:



- MEETINGS: Once a month at a regular time and place within the district as fixed by the trustees. The public must be notified of any change in the time and place of the meetings. Meetings are open in their entirety to the public.
- FINANCE: The county assessor of each county in the district is to prepare and certify a list of all television owners within the district and deliver a copy of it to the trustees. The trustees of the district remove the names of any person who have claimed exemption and prepare a budget for the expenses for the next year. They present the budget and the list of persons subject to the tax to the county commissioners who must levy the tax requested by the trustees up to \$15.00 per year per person owning a television set. (Note: since personal property tax lists have been abolished, county assessors are no longer able to provide television district trustees with a list of owners of television sets.) The county treasurer is treasurer for the district and keeps the taxes collected for the district in a separate fund. The district may issue warrants for up to 5 percent annual interest and may issue revenue bonds for up to 6 percent interest, the bonds to be repaid from rates and charges; it may prescribe installation charges.
- POWERS: The trustees and district may do whatever is necessary to provide fair, efficient, and equitable distribution of service throughout the community, but they may not interfere with community antenna systems. The district may acquire, construct, maintain and operate any necessary transmitting stations and any lands necessary for its purposes. The trustees may make contracts and employ whatever people are required to provide television service.
- REPORTS: When they create a district, the commissioners must file a copy of the resolution with the clerk and recorder of each county included and, if portions of more than one county is included, also with the secretary of state.
- STATUTES: (70-408 to 70-426, R.C.M., 1947)
- NOTE: RELATED STATE AGENCY: The operator of a VHF booster or a VHF translator system is to obtain a license from the Montana public service commission; secretary of state.

NAME: TOWN MEETING PERMANENT COMMITTEES (1975)

FUNCTION: Advisory.

FORMATION: Established and dissolved by ordinance.

MEMBERS:

QUALIFICATIONS:

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE:

POWERS: Advise town chairman and/or town meetings.

REPORTS:

STATUTES: (47A-3-207, R.C.M., 1947)

NAME: BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY (1959)

FUNCTION: Administrative.

FORMATION: After a municipality has adopted a resolution of necessity [11-3905], by a resolution determining that urban renewal powers are to exercised by an urban renewal agency.

MEMBERS: Five.

QUALIFICATION: Resident of municipality.

METHOD OF APPOINTMENT: Mayor with council approval. May be removed for inefficiency, neglect of duty, or misconduct in office.

DATE OF APPOINTMENT:

TERM: Four years.

FILLING VACANCIES:

COMPENSATION: No compensation, but necessary expenses including traveling expenses, incurred in the discharge of duties.

OFFICERS:

MEETINGS:

FINANCE:

POWERS: [11-3915].

REPORTS: Annual report, including complete financial statement to the council on or before March 31. Publish notice of report in newspaper.

STATUTES: [Title 11, Ch. 39, 11-3916, R.C.M. 1947].

NAME: URBAN TRANSPORTATION DISTRICTS (1975) (Board mandatory if district created.)

FUNCTION: Administrative

FORMATION: Not less than 20 percent of the qualified electors who live within the proposed urban transportation district may petition for its creation. The petition must include the address of each petitioner and a map showing the limits of the proposed district. Within 30 days the county clerk examines the petition and attaches to it an official certificate indicating the total number of qualified electors within the proposed district and which and how many of the petitioners are qualified to sign the petition. The clerk presents the petition and the certificate to the county commissioners. They call a public meeting, about which they provide public notice, and hear all testimony in support of or opposition to the proposed district. By resolution the commissioners refer the creation of the district to a vote, either at a special election or at the next general election.

Procedures are specified for adding to or dissolving a district.

The district is governed by a transportation board.

MEMBERS: Six

QUALIFICATIONS: City representatives to be members of the governing bodies of the cities.

METHOD OF APPOINTMENT: Three by county commissioners acting as a selection board and three who are representatives from the governing bodies of each incorporated city included or partially included in the district. The selection board must give public notice of its solicitation of application for membership. The appointed members serve until the first county general election; thereafter their three positions are filled by election.

DATE OF APPOINTMENT: Appointment upon creation of district; election at general elections thereafter.

TERM: Appointees: until first general election; elected members: initially, one for four years, two for two years; thereafter, at each general election one is elected for two years and one for four years.

FILLING VACANCIES: The selection board (county commissioners) fill all vacancies on the board.

COMPENSATION: None except necessary transportation expenses.

OFFICERS:

MEETINGS:

FINANCE: The board annually presents its budget to the county commissioners at their regular budget meeting. The county commissioners must fix and levy a tax sufficient to meet the amount certified by the board, but the tax may not exceed twelve mills; other than for payment of bonded indebtedness.

A transportation district may issue general obligation or revenue bonds, or a combination of the two; the total bonded indebtedness must not exceed five percent of the taxable property in the district.

POWERS: The transportation board has all powers necessary and proper to the establishment, operation, improvement, maintenance and administration of the district. The board may authorize service outside district boundaries where they consider it appropriate. After having notified the public of its solicitation of applications for a qualified administrative officer, the board employs a qualified administrative officer for the district.

REPORTS: Annual budget to county commissioners.

STATUTES: [11-4501 to 11-4512, R.C.M., 1947]

NAME: METROPOLITAN SANITARY AND/OR STORM SEWER COMMISSION (1957)

FUNCTION: Administrative.

FORMATION: Metropolitan sanitary and/or storm sewer district, serves inhabitants of a county and city or town within the county; created by the county commissioners subject to concurrence by council and subject to protests by property owners.

MEMBERS: Three.

QUALIFICATIONS: Board of county commissioners are ex officio commissioners of the district.

METHOD OF APPOINTMENT:

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION:

OFFICERS:

MEETINGS:

FINANCE: [16-4406 to 16-4417]

POWERS: [Title 16, Ch. 44]

REPORTS: Budget must be filed in office of county clerk 30 days prior to the public hearing preceding the adoption of the budget. Records must be kept in the office of the county clerk.

STATUTES: [Title 16, Ch. 44, R.C.M. 1947]

NAME: COUNTY WATER AND/OR SEWER DISTRICTS (1957) (Board mandatory if district created.)

FUNCTION: Administrative

FORMATION: The people of any city or county, or of any part or combination of any cities or counties, may organize a county water and/or sewer district, if at least ten percent of the registered voters within the proposed district petition for its creation. If a multi-county district is proposed, the petition must be presented to the county commissioners of each county and bear the signatures of at least 10 percent of registered voters within the area of the proposed district in each county. The petition describes the boundaries. The text of the petition and number of signers is published in a newspaper in the county along with notice of the time of the meeting at which the petition is to be presented. Before the hearing written protests may be filed with the county clerk and recorder by or on behalf of owners of taxable property within the proposed district. A series of hearings may be held. At the final hearing the board must define and establish the boundaries of the district, but it may first modify the proposed boundaries, if advisable. Anyone whose lands are benefited by the district may apply to the board to have his lands included in the district. Notice is published and an election is held on whether or not to create the district. A voter at the election may be a qualified elector of the state who is a resident of the proposed district, or he may be an owner or lessee of taxable real property within the county and the district and also a registered voter anywhere in the United States. At least forty percent of the eligible voters must vote, with the district being favored by a majority of those in any included area of an incorporated municipality and in any unincorporated municipality and in any unincorporated territory. Upon being informed that the county commissioners have ordered the district created, the secretary of state issues a certificate of incorporation to the county clerks and recorders of any counties included in the district. There are also provisions for adding to or consolidating districts and for excluding territory from districts.

MEMBERS: Five, plus an additional director from each municipality included in the district and an additional director from the unincorporated territory in each included county.

QUALIFICATIONS: A resident or an owner or lessee of real property within the district.

METHOD OF APPOINTMENT: Five directors elected within the district; one appointed by the mayor of each included municipality; one appointed by the board of county commissioners of each included county with unincorporated territory in the district.

**DATE OF APPOINTMENT:** Election every four years on the fourth Tuesday in March. Appointments within 90 days after the formation of the district and every six years thereafter.

**TERM:** Elected directors: four years. Directors appointed by mayors: six years. Any director is subject to recall by the voters of the districts.

**FILLING VACANCIES:** The directors elect someone to fill any vacancy, whether of an elective or an appointive office.

**COMPENSATION:** Twenty dollars for each attendance at meetings of the board of directors, up to three meetings each calendar month.

**OFFICERS:** The directors elect one of their members president.

**MEETINGS:** The sixth Monday after the election of the directors and thereafter at the time and place designated at that meeting and whenever special meetings are called in the manner then agreed upon. All legislative sessions of the board of directors are open to the public.

**FINANCE:** The auditor has the duty of installing and maintaining a system of auditing and accounting that completely and at all times shows the financial condition of the district. The auditor is to draw warrants to pay demands against the district when the demands have first been approved by at least three members of the board of directors and by the general manager. The board of directors designates a depository or depositories to have custody of the funds of the district. Whenever the board of directors consider it necessary for the district to incur a bonded indebtedness, it passes a resolution to this effect, stating the purpose for which the proposed debt is to be incurred, the land within the district to be benefited, the amount of debt to be incurred, and the maximum term for which the bonds are to be issued which may not exceed 40 years. After public notice, the proposition is submitted to the voters of those areas of the district which will be benefited; the approval of sixty percent of the votes cast is required. The directors canvass the votes. All expenses of the election are borne by the district. District bonds are exempt from all taxation within the state of Montana.

The board of directors fix the rate, fee, toll, rent or other charge for water, sewer or other services at a rate that will pay the operating expenses of the district, provide for repairs and depreciation of works owned or operated by the district, pay the interest on any bonded debt and, so far as possible provide a sinking or other fund for the payment of the principal of the bonded debt.



If the revenues of the district are inadequate to pay the interest or principal of any bonded debt as it becomes due or any other expenses or claims of the district, then the board of directors must furnish the board or boards of county commissioners and auditor or auditors an estimate in writing of the amount of money required by the district to pay the principal and/or interest on the bonded debt and to establish a reasonable reserve fund. The governing body must annually levy and cause to be collected a sufficient proportionate share to meet the required amount. The tax may be apportioned on the basis of proportionate land area or of proportionate taxable valuation, but if the district lies in more than one county, the same method of assessment must be used by each county. The county commissioners must post, publish and mail notice of their intention to levy and collect the tax, including the amount of money required, the method of assessment, the boundaries or description of the lands to be assessed, and the time and place where the county commissioners will hear and pass upon protests. Taxes levied for the payment of bonded indebtedness are levied against the property to be benefited; all taxes for other purposes are levied on all property in the district. The taxes constitute a lien upon the property.

**POWERS:** The board of directors appoints a general manager, a secretary, and an auditor to serve at the pleasure of the board and sets their compensation. The board establishes the rules for its own proceedings. A district has the power to have perpetual succession; to sue and be sued; to adopt a seal; to hold property; to acquire, construct, maintain and operate water rights, water works, sanitary sewer works, storm sewer works, canals, conduits, reservoirs, lands and rights useful or necessary to store, conserve, supply, produce, convey, or drain water or sewage for purposes beneficial to the district (such purposes include but are not limited to flood prevention, flood control, irrigation, drainage, municipal and industrial water supplies, domestic water supplies, wildlife, recreation, pollution abatement, live-stock water supply and other similar purposes); store water; lease waterworks; accept assistance; borrow money and issue bonds; levy taxes; and make contracts.

Ordinances may be passed or disapproved by the electors of any county water and sewer district, specifically with the respect to the consolidation of two or more districts.

**REPORTS:**

**STATUTES:** (16-4501 to 16-4535, R.C.M., 1947)

**NOTE:** RELATED STATE AGENCY: Water quality bureau of the department of health and environmental sciences.

NAME: WEED CONTROL AND WEED SEED EXTERMINATION DISTRICTS  
(MANDATORY) (1939)

FUNCTION: Supervisory.

FORMATION: District: A weed control and weed seed extermination district is to be formed in every county of the state and is to include all the land within the boundaries of the county.

Board: The board of county commissioners must appoint a county weed board of supervisors.

MEMBERS: Three or five. The county extension agent is an ex officio member of the board.

QUALIFICATIONS: If five: three rural agricultural landowners within the county, one from a city or town within the county, one a teacher of biology or person with comparable expertise.

If three: two rural landowners within the county, one a teacher of biology or person of comparable experience.

METHOD OF APPOINTMENT: By the county commissioners.

DATE OF APPOINTMENT: Annually, before July.

TERM: Supervisors are appointed for a period of one, two, and three years respectively for a three member board or, if a five member board should be selected, for one and two year terms respectively dating from the preceding July. Thereafter, an appointment or reappointment is made annually.

FILLING VACANCIES:

COMPENSATION: Salary, per diem and mileage of the supervisors are set by resolution of the board of county commissioners.

OFFICERS: The supervisors shall choose a chairman and a secretary; the secretary may or may not be a member of the board.

MEETINGS:

FINANCE: The county commissioners may create a noxious weed control and weed seed extermination fund, either by appropriating money from the general fund or by levying a tax not to exceed two mills. The proceeds are used to promote the control of noxious weeds or extermination of weed seed. Any proceeds from work or chemical sales revert to the fund and are kept available for reuse

within the fiscal year. The supervisors may purchase and provide landowners with the chemicals, materials, and equipment necessary for the control program; the cost for the use of these items to control weeds on his own land is charged against the landowner and his land. If the county commissioners and the supervisors decide that it is desirable to do so, the county through the noxious weed fund can assume one-third of a landowner's cost of weed control and weed seed extermination. The commissioners fix the cost of the control of weeds and weed seeds whether it is performed by the landowners or the supervisors.

**POWERS:** The supervisors of the weed control and weed seed extermination district must declare an embargo against any farm products they have reason to believe will spread noxious weeds if they are introduced into the county. They must inspect lands where a complaint has been made that noxious weeds are present. If noxious weeds are found, the supervisors may instruct the person permitting them that they must be destroyed within a specified time; if they are not, the supervisors must institute control measures. When in the opinion of the supervisors noxious weeds are intermixed with a growing crop within the district so that the field is a menace to the district, they have the power to order the destruction of all or part of the crop. First, however, the supervisors must confer with the county commissioners as a board of arbitration; the commissioners may, when they consider it proper, extend for one year the order for the destruction of the crop containing the weeds.

The supervisors may cooperate with any state or federal aid program, which is to be under their direct supervision in their county.

**REPORTS:** If anyone fails to comply with a notice from the supervisors to destroy weeds or weed seed, the supervisors must forthwith institute control measures and make a report about that to the county clerk including a description of the lands and the costs involved.

**STATUTES:** (16-1701 to 16-1722, R.C.M., 1947)

**NOTE:** **RELATED ADVISORY AGENCIES:** State: Pesticides division of department of agriculture; cooperative extension service: weed specialist.

NAME: COUNTY WELFARE BOARD (MANDATORY) (1937)

FUNCTION: Administrative and quasi-judicial

FORMATION: The board of county commissioners ex officio is the county welfare board. If conditions warrant, two or more county welfare boards may enter into an agreement to combine into one administrative unit and use the same staff.

MEMBERS: Three

QUALIFICATIONS: County commissioners of the county

METHOD OF APPOINTMENT: Ex officio

DATE OF APPOINTMENT:

TERM:

FILLING VACANCIES:

COMPENSATION: Same compensation and mileage as for county commissioners paid from county funds.

OFFICERS: County attorney is ex officio legal advisor.  
County clerk is ex officio secretary and clerk.

MEETINGS:

FINANCE: The county commissioners levy whatever is necessary up to 17 mills for the county poor fund. From this fund the county welfare department is to pay for the general relief activities of the county and to reimburse the state department for the county's proportionate share of its administrative costs of all public assistance, and any other joint county-state welfare activity. Under certain conditions of need, the state department may provide the county with additional financial assistance for its welfare activities through grants-in-aid.

POWERS: The county board of public welfare is responsible for establishing local policies and the rules and regulations necessary to govern the county department and necessary for local administration of public welfare activities. All policies, rules and regulations must conform to those established by the state department of social and rehabilitation services. From a list of qualified persons furnished by the state department, the county board selects and appoints the necessary staff personnel, including a supervisor of staff personnel, if warranted. The staff personnel of the county welfare department are directly responsible to the county welfare board, but the staff is also under the supervision of the state department of social and rehabilitation services.

The county welfare department is responsible for administering locally all forms of public assistance and welfare operations in the county. The investigation of each applicant for general relief assistance is to be conducted by the county board through a staff worker of the county department. When the investigation is completed, the county board determines whether the applicant is eligible for and should receive a grant, the amount of the grant, and the date of which assistance should begin. An applicant or recipient may appeal a decision of the county board to the board of social and rehabilitation appeals; the state department may decide to review any decision of the county welfare board.

REPORTS: Each county department keeps whatever records and reports and in whatever detail the state department requires. The county department transmits to the state upon its request copies of applicants and any other records pertaining to any case.

The county welfare board on or before the thirtieth day of January, April, July, and October file with the county clerk and recorder a complete report showing the names of all recipients receiving public assistance, together with the amounts paid to each during the preceding quarter.

Each applicant is to receive written notice of the decision concerning his application.

STATUTES: Title 71, especially, Chapter 2. R.C.M., 1947.

NOTE: RELATED STATE AGENCY: The state department of social and rehabilitation services and the board of social and rehabilitation appeals.

NAME: WINTER WORK COMMITTEE (1965)

FUNCTION: Advisory.

MEMBERS: At least five.

QUALIFICATIONS: From various economic groups including labor, industry, business, welfare and news media.

METHOD OF APPOINTMENT: Appointed by mayor. In municipalities where economic interests are represented by organizations, the mayor shall give notice to each organization that he is going to make the appointments and shall set a date by which names must be submitted. On the date set for submittal, the mayor shall select one member from each of the economic groups.

DATE OF APPOINTMENT:

TERM: Five years, overlapping.

FILLING VACANCIES:

COMPENSATION: None.

OFFICERS: The committee selects a chairman, secretary and other necessary officers.

MEETINGS: The committee shall meet within ten days of appointment by the mayor. The committee shall meet at least quarterly and at other times as necessary.

FINANCE:

POWERS:

REPORTS: The minutes of the committee shall be filed by the secretary of the committee with the mayor who shall keep them as other public records.

STATUTES: [Title 41, Ch. 19, R.C.M., 1947]

committee or special district. The boards and districts on the chart and on the list are the same: they are related to city and/or county government and are specifically authorized by state law.





# ORGANIZATION CHART

ELECTED OFFICIALS, THEIR APPOINTMENTS, AUTHORITIES, AGENCIES AND SERVICE AREAS AUTHORIZED BY STATE LAW FOR CITIES AND/OR COUNTIES

## MULTI-CITY

## CITY

## CITY-COUNTY

## COUNTY

FOR INDEPENDENT  
UNIT ADDRESS  
ALL AREAS  
OF JURISDICTION

## JUDICIAL DISTRICT AND MULTI-COUNTY AREAS

E Mayor  
City Aldermen-City Council  
MC City Assessor  
MC City Attorney  
MC City Clerk

MC Marshal  
MC Police Judge  
MC City Jailor

MC City Treasurer  
E LOCAL GOVERNMENT STUDY COMMISSION

CA MA Civil defense director and warden  
MC Civil defense department, warden, and warden  
CA Board of Trustees for Fire Department Relief Act  
MC Police Commission  
MS Police Reserve Fund Board of Trustees  
MC Street Commissioners

CA MAYOR'S CIVIL RIGHTS OFFICE (MAYOR'S OFFICE)

MC CITY BOARD OF PARK COMMISSIONERS  
MC CITY RECREATION BOARD  
MC URBAN RENAISSANCE AGENCIES 3M

CG SPECIAL IMPROVEMENT DISTRICT  
MA WINTER BOARDS COMMITTEE

MA CITY HOUSING AUTHORITY  
MC CITY HOUSING AUTHORITY 3M

MC CITY BOARD OF HEALTH  
CA ELECTION BOARDS

MC CITY LIBRARY BOARD  
MC CITY LIBRARY BOARD

MC CITY PLANNING BOARD  
CA CITY PLANNING BOARD  
CA CITY ZONING COMMISSION  
CA BOARD OF ADJUSTMENT

CA CITY AIRPORT BOARD  
CA REGIONAL AIRPORT AUTHORITY 3M  
CA CITY AIRPORT AUTHORITY 3M

CG AIRPORT BOARD OF ADJUSTMENT  
CG CITY-COUNTY FLOOD CONTROL AND WATER CONSERVATION PROJECTS  
I AIR POLLUTION CONTROL BOARD

DE SCHOOL DISTRICT TRUSTEES

MC CCA INTER-CITY COOPERATION COMMISSION

CA CCA SUPERVISORS OF CITY-COUNTY DEPARTMENT OF PUBLIC SAFETY

CA (COOPERATING OR JOINT LOCAL GOVERNMENT STUDY COMMISSIONS)

CA CCA ECONOMIC OPPORTUNITY AND POVERTY RELIEF  
(CITY-COUNTY COOPERATION)

MA CCA COOPERATING HOUSING AUTHORITIES

CA CCA CITY-COUNTY REFUSE DISPOSAL DISTRICT BOARD  
CA CCA CITY-COUNTY BOARD OF HEALTH

CA CCA CITY-COUNTY LIBRARY BOARD  
CA CCA CITY-COUNTY LIBRARY BOARD  
CA CCA CITY-COUNTY LIBRARY BOARD  
CA CCA CITY-COUNTY LIBRARY BOARD

CA CCA CITY-COUNTY AIRPORT BOARD  
CA CCA CITY-COUNTY AIRPORT AUTHORITY  
CA CCA CITY-COUNTY AIRPORT AUTHORITY  
CA CCA CITY-COUNTY AIRPORT AUTHORITY

CG CCA CITY-COUNTY FLOOD CONTROL AND WATER CONSERVATION PROJECTS  
I AIR POLLUTION CONTROL BOARD

DE SCHOOL DISTRICT TRUSTEES  
DE PUBLIC HOSPITAL DISTRICT BOARD  
DE DRAINAGE DISTRICT BOARD

DE COUNTY WATER AND SEWER DISTRICT DIRECTORS  
MC CCA INTER-CITY COOPERATION COMMISSION

E 3 COUNTY COMMISSIONERS  
E county auditor  
E county assessor  
E county clerk  
E county clerk and recorder  
E county clerk and recorder

E justices of the peace

E justice of the peace  
E justice of the peace  
E justice of the peace  
E justice of the peace

E county treasurer  
E LOCAL GOVERNMENT STUDY COMMISSION  
E township treasurer  
E assessment of real property to be purchased by county  
E civil defense director and warden

CCA direct pest exterminator  
CCA county board member  
CCA public hearing  
CCA public hearing  
CCA retail agency land administrator  
CCA retail agency land administrator  
CCA retail agency land administrator  
CCA retail agency land administrator

CCA BOARD OF TRUSTEES OF PUBLIC WELFARE DISTRICT  
CCA BOARD OF TRUSTEES OF PUBLIC WELFARE DISTRICT  
CCA BOARD OF TRUSTEES OF PUBLIC WELFARE DISTRICT  
CCA BOARD OF TRUSTEES OF PUBLIC WELFARE DISTRICT

CCA MUSEUM BOARD OF TRUSTEES  
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CCA MUSEUM BOARD OF TRUSTEES

CCA WEED CONTROL AND EXTENSION DISTRICT BOARD 3M  
CCA WEED CONTROL AND EXTENSION DISTRICT BOARD 3M  
CCA WEED CONTROL AND EXTENSION DISTRICT BOARD 3M  
CCA WEED CONTROL AND EXTENSION DISTRICT BOARD 3M

CCA COUNTY TAX APPEAL BOARD  
CCA COUNTY TAX APPEAL BOARD  
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CCA COUNTY TAX APPEAL BOARD

CCA COUNTY FAIR FARM BOARD  
CCA COUNTY FAIR FARM BOARD  
CCA COUNTY FAIR FARM BOARD  
CCA COUNTY FAIR FARM BOARD

CCA REFUSE DISPOSAL DISTRICT BOARD  
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CCA REFUSE DISPOSAL DISTRICT BOARD

CCA ELECTION BOARDS  
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CCA ELECTION BOARD OF CHARGES  
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CCA COUNTY BOARD OF PUBLIC WELFARE  
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CCA COUNTY BOARD OF PUBLIC WELFARE

CCA METROPOLITAN TARIFF AND STORM SEWER DISTRICTS 3M  
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CCA METROPOLITAN TARIFF AND STORM SEWER DISTRICTS 3M

CCA HERD DISTRICTS 3M  
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CCA HERD DISTRICTS 3M

CCA COUNTY LIBRARY BOARD  
CCA COUNTY LIBRARY BOARD  
CCA COUNTY LIBRARY BOARD  
CCA COUNTY LIBRARY BOARD

CCA COUNTY WATER CONSERVATION AND FLOOD CONTROL PROJECTS  
CCA COUNTY WATER CONSERVATION AND FLOOD CONTROL PROJECTS  
CCA COUNTY WATER CONSERVATION AND FLOOD CONTROL PROJECTS  
CCA COUNTY WATER CONSERVATION AND FLOOD CONTROL PROJECTS

CCA AIR POLLUTION CONTROL BOARD  
CCA AIR POLLUTION CONTROL BOARD  
CCA AIR POLLUTION CONTROL BOARD  
CCA AIR POLLUTION CONTROL BOARD

CCA LOCAL IMPROVEMENT DISTRICT COMMITTEE OF SUPERVISORS 3M  
CCA LOCAL IMPROVEMENT DISTRICT COMMITTEE OF SUPERVISORS 3M  
CCA LOCAL IMPROVEMENT DISTRICT COMMITTEE OF SUPERVISORS 3M  
CCA LOCAL IMPROVEMENT DISTRICT COMMITTEE OF SUPERVISORS 3M

CCA RURAL FIRE DISTRICT TRUSTEES 3M  
CCA RURAL FIRE DISTRICT TRUSTEES 3M  
CCA RURAL FIRE DISTRICT TRUSTEES 3M  
CCA RURAL FIRE DISTRICT TRUSTEES 3M

CCA PUBLIC HOSPITAL DISTRICT BOARD  
CCA PUBLIC HOSPITAL DISTRICT BOARD  
CCA PUBLIC HOSPITAL DISTRICT BOARD  
CCA PUBLIC HOSPITAL DISTRICT BOARD

CCA DRAINAGE DISTRICT BOARD  
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CCA DRAINAGE DISTRICT BOARD

E District Judge

DJ District Judge  
DJ District Judge  
DJ District Judge  
DJ District Judge

CA (COOPERATING OR JOINT LOCAL GOVERNMENT STUDY COMMISSIONS)

assessors (provided state of county property)

CCO-CCB BOARD OF TRUSTEES OF MULTI-COUNTY RURAL IMPROVEMENT DISTRICTS

CCA-CCA COOPERATING HOUSING AUTHORITIES

CCA-CCA DISTRICT FAIR BOARD 3M  
CCA-CCA TELEVISION DISTRICT TRUSTEES  
CCA-CCA REFUSE DISPOSAL DISTRICT BOARD 3M  
CCA-CCA DISTRICT BOARD OF HEALTH 3M

CCO-CCO DEPARTMENT OF PUBLIC WELFARE (MULTI-COUNTY)  
CCO-CCO HERD DISTRICTS (MULTI-COUNTY) 3M  
CCO-CCO SHEEP PROTECTIVE AREA (MULTI-COUNTY)  
CCO-CCO DISTRICT PROTECTIVE DISTRICT (MULTI-COUNTY) 3M

CA OPEN SPACE LAND PLANNING COMMISSION

CCA-CCA CITY-COUNTY AIRPORT BOARD  
CCA-CCA REGIONAL AIRPORT AUTHORITY  
CCA-CCA CITY-COUNTY AIRPORT AUTHORITY

CCO-CCO JOINT COUNTY WATER CONSERVATION AND FLOOD CONTROL PROJECTS

CA AIR POLLUTION CONTROL BOARD

DE AGRICULTURE AND WATER CONSERVATION DISTRICT SUPERVISORS  
DE DRAINAGE DISTRICT SUPERVISORS  
DE IRRIGATION DISTRICT SUPERVISORS  
DE BOARD OF CONTROL FOR JOINT OPERATION OF IRRIGATION DISTRICTS

DE WATER COMMISSIONERS  
DE WATER COMMISSIONERS  
DE WATER COMMISSIONERS  
DE WATER COMMISSIONERS

DE CONSERVANCY DISTRICT BOARD OF SUPERVISORS  
DE CONSERVANCY DISTRICT BOARD OF SUPERVISORS  
DE CONSERVANCY DISTRICT BOARD OF SUPERVISORS  
DE CONSERVANCY DISTRICT BOARD OF SUPERVISORS

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DE CONSERVANCY DISTRICT BOARD OF SUPERVISORS

KEY

E VOTERS ELECT City Offices  
City Council  
District Judge  
County Assessor  
County Clerk  
County Clerk and Recorder  
County Clerk and Recorder  
County Clerk and Recorder  
County Clerk and Recorder

CA Municipalities  
CA COUNTY GOVERNMENT  
CA COUNTY GOVERNMENT  
CA COUNTY GOVERNMENT  
CA COUNTY GOVERNMENT  
CA COUNTY GOVERNMENT  
CA COUNTY GOVERNMENT  
CA COUNTY GOVERNMENT

CCA COMMISSIONERS GOVERN  
CCA COMMISSIONERS GOVERN  
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CCA COMMISSIONERS GOVERN

Bureau of Census  
Bureau of Census  
Bureau of Census  
Bureau of Census  
Bureau of Census  
Bureau of Census  
Bureau of Census  
Bureau of Census

The preparation of this document was financed in part through a Comprehensive Planning Assistance Grant from the United States Department of Housing and Urban Development, under the provisions of Section 701 of the Housing Act of 1954, as amended.

CITATION R.C.M. 1947  
Prepared by State Commission on Local Government, 1978

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## CHAPTER VI

### ORGANIZATION CHART: LOCAL GOVERNMENT OFFICIALS, BOARDS, COMMISSIONS, COMMITTEES TAXING AREAS AND SPECIAL DISTRICTS

#### COMMENTARY

This chart is designed to be in part illustrative and in part informative. Hopefully, if used with this commentary and the accompanying footnotes, it may be of use. The commentary is intended both as an explanation of what the chart is and as a caution about what it is not.

The chart outlines local government structure as it is specifically authorized by statute in the Revised Codes of Montana, 1947. Most cities and towns in Montana have a mayor-council form of government and most counties have the county commissioner form. Based on these two forms the chart includes elected officials and their appointees, some of whom, because of space limitations, are indicated through footnote references. Most of the chart, however, is comprised of the potentially massive substructure of local government: those authorities, boards, commissions, committees and special districts which are specifically authorized by state law. (For the sake of readability, these entities will hereafter usually be referred to collectively as "boards and special districts.")

Presumably, no city, town or county in the state will have every official, appointee, board or district that it is authorized to have. On the other hand, many cities, towns and counties will include in their structure additional boards, committees or councils which do not appear on the chart. This occurs because a board, committee or council may originate from one of several different sources:

(1) Cities, towns or counties, sometimes individually and sometimes jointly, may create boards or special districts through specific statutory authorization as it is enacted by the state legislature.

The Bulletin includes two lists of citations from the Revised Codes of Montana, 1947. One list cites the specific authorizations for individual county appointees. A second list cites the specific authorization for the appointment, election or creation of each local government authority, board, commission, committee or special district. The boards and districts on the chart and on the list are the same: they are related to city and/or county government and are specifically authorized by state law.

(2) According to the Interlocal Cooperation Act of 1967 (see especially 16-4904, R.C.M., 1947), cities and counties through interlocal agreement may create joint boards to perform functions which both governing bodies are authorized to perform. A board such as a city-county gambling commission could be created under the provisions of the Interlocal Cooperation Act, but because this act provides general rather than specific authorization for such a commission, a city-county gambling commission would not appear on this organization chart.

(3) State law authorizes cities, but in the past not counties, to establish boards by ordinance. City ordinance, for example, could create a city cemetery board, while specific state law is required to authorize a county cemetery board. Boards created by city ordinance do not appear on the chart.

(4) There are a large number of agencies, associations, boards and councils which are closely related to the substructure of city or county government; they generally possess the following characteristics:

- 1) They appear to have a structural and/or financial tie-in with city or county government;
- 2) They exist in Montana in cities or towns or in single or multi-county areas;
- 3) They result from (are part of) quasi-private, state or federal programs; and
- 4) They are not specifically authorized in the Revised Codes of Montana, 1947 as part of city or county government, although a relationship with a local government may be generally provided for.

County extension agents, for example, are actually members of the faculty of Montana State University, but they often work closely with county commissioners and may provide the commissioners with a copy of their annual budget. The county commissioners are specifically authorized (16-1130) to allocate county tax revenue to their extension agency and they may by mutual agreement have the power to approve or reject the appointment of each extension agent who serves their county. Obviously, the interrelationship is considerable and of importance, but it falls outside the range of boards included on this organization chart.

Similarly, county councils on aging may receive county tax funds as authorized by state law (71-1701) and, in practice, county commissioners sit on and/or appoint people to the county and area councils on aging. ~~Some~~ functions of the councils are

authorized as is the use of county funds, but the councils themselves are not created by specific statutory authorization, therefore they are not included on this chart. (However, county extension agents, councils on aging, and other "related agencies" are on a chart of county structures and activities on page 202 of this Bulletin.)

The following organization chart is set up in this manner:

(1) Each verticle column indicates which elected officials, appointees, boards or special districts are specifically authorized to function within that geographic jurisdiction: multi-city, city, city-county, county or multi-county area (including judicial districts).

(2) A particular type of board, such as a board of health, which may exist in a city, city-county, county, or multi-county area, will be repeated at the same level horizontally across the chart, so that one can quickly ascertain where the functions of that type of board are authorized.

However, this does not indicate whether that board or district may exist in more than one jurisdiction at the same time, whether several boards or districts of the same type may exist within a single jurisdiction, or whether the existence of one board or district excludes others of that type. Even when they are authorized under several jurisdictions, some boards or special districts may exist in only one area at a time: multi-city, city, city-county, county or multi-county. Other boards or special districts may exist in several jurisdictions simultaneously. For example, there may be only one Interlocal Cooperation Commission in a county at any time, but a county could have several city-county planning boards and a county planning board. The board of trustees of a cemetery district might have authority over several cemeteries within a single district, or each cemetery in a county might be in a separate district, each with its own board of trustees. A county might contain several television districts, any of which might also overlap into an adjacent county. And, a county and each of its cities and towns might have library boards; further, some or all of the library boards might participate on a multi-county federated library board.

(3) Related boards are usually grouped together in the verticle column and, again, lined up horizontally according to area of jurisdiction. The most notable examples of this are the authorities, boards and commissions having to do with airports.

(4) To the left of each person, board or district on the chart is a letter notation, and/or a number referring to a footnote. As the key at the bottom of the chart explains, the letters indicate who appoints or elects the person or board, whether a special district is governed directly by the city

council and/or county commissioners, or whether the council or commissioners constitute themselves as a separate board for certain functions. The key reads as follows:

- MA-Mayor appoints
- MC-Mayor appoints, council approves
- MS-Mayor serves on
- CA-Council appoints
- CG-Council governs (directly)
- C=-Council constitutes itself as the board
- CCA-County commissioners appoint
- CCG-County commissioners govern
- CC=-County commissioners constitute themselves as a board
- E-Elected at a city or county general election
- DE-Elected by specifically qualified persons within the special district
- DJ-Appointed by district judge

(5) Knowing who appoints or elects a board does not necessarily reveal anything about the relationship between that board and city or county government. The United States Bureau of Census has classified special districts and some, but not all, boards according to whether they are subordinate to city or county government or whether they possess sufficient authority and autonomy to be considered as independent units of local government. The following is an outline of the Bureau of Census criteria for classifying government units as independent or subordinate:

An independent unit of government must 1) exist as an organized entity with some corporate powers, 2) have a governmental character with officers either popularly elected or appointed by public officials, and 3) possess substantial autonomy with considerable fiscal and administrative independence.

A subordinate unit of government is an agency 1) comprised of personnel including parent government officials or appointed by the chief executive of the parent government, 2) with control of facilities that are ordinarily provided by the creating government, and 3) with the provision that the properties and responsibilities of the agency shall revert to the creating government, 4) which must approve agency plans.

The Bureau of Census deemed certain other characteristics to be 'noncritical' in determining independence: 1) the powers to levy taxes and to incur debt (issue bonds), 2) jurisdiction in a specific geographic area, and 3) internal uniformity of taxation and services.

In each instance where the Bureau of Census classifies a board or special district as subordinate to another unit of government, that classification is indicated on the chart to the right of the board or district by a lettered notation (SS, SC, or SM), as in the key. Independent special districts or authorities are identified in a column between the county and multi-county jurisdictions; in parentheses is the total number of that type of unit in Montana in 1972. Altogether the Bureau of Census counted 258 independent special districts or authorities in Montana in 1972, and the number continues to grow. (In this count the Bureau of Census excluded consideration of school districts, which also function as independent special purpose governments but with a unique set of relationships.)

Ostensibly, the Bureau of Census was influenced by local attitudes about whether a given type of unit was independent or not; this, some people contend, should have resulted in their inclusion of library boards as independent units of local government. A city or county library board is comprised of five trustees appointed by the mayor with the consent of the council or by chairman of the county commissioners with the consent of the governing body. The library board may include one member of the governing body. The trustees serve five year, overlapping terms. A library board has "exclusive control of the expenditure of the public library fund, of construction or lease of library buildings, and of operation and care of the library." (44-222) The footnotes to the chart indicate other exceptions taken to the Bureau of Census classifications, such as municipal airport authorities and rural fire districts.

Two further observations are in order. The chart implies what the accompanying set of descriptions of each board or district makes clear: particularly where special districts are involved, there would seem to be a general pattern for creating some boards or districts (petition, public notice, public hearing) but the specific individual stipulations are so numerous and diverse that any similarity of procedure becomes obliterated by an elaboration of specific and frequently complex provisions. Over the years not only has the state legislature authorized the creation of each board or district by a separate statute or series of statutes but it has also formulated a separate relationship between that board and the local government(s) within whose jurisdiction it functions. Yet even this multitude of boards or districts does not adequately reflect the scope of local government functions.

Obviously, each unit of local government needs to develop its own organization chart before anyone will be able to ascertain exactly what substructures exist at a given time in Montana cities, towns and counties.

Footnotes to Accompany Chart of City and County Government Structure Showing the Boards, Commissions, Committees and Special Districts Specifically Authorized by State Law

<sup>1</sup>Mayor: In addition to the specific appointees listed, the mayor with the approval of the council may appoint any other officers necessary.

<sup>2</sup>County officials may appoint their own deputies or assistants and hire other employees, as permitted by law.

<sup>3</sup>Township constables: Deputies and assistants may be appointed by township constables or county commissioners may provide for subordinate officers.

<sup>4</sup>Local Government Study Commissions may hire their own staffs, individually or cooperatively. In addition to the elected officers and commissioners listed above, some appointed boards and boards elected by districts are also authorized to hire personnel.

<sup>5</sup>Air Pollution Control Boards: The Revised Codes authorize creation of an administrative organization and staff for a local air pollution control program. Cooperative administration of local air pollution control programs between or among municipalities or counties of this state or other states is also authorized. (See also footnote #17 concerning creation of joint boards as authorized through interlocal agreement to provide joint or cooperative administration of legally authorized programs.)

<sup>6</sup>Airport Boards and Joint Airport Boards:

- a) City and County Airport Boards: A city, town or county may create a board from its inhabitants. (1-803)
- b) Joint Airport Boards: Cities, towns and counties in any combination may jointly create a board. (1-803)
- c) Joint Airport Boards: Cities, towns and counties, each of which is acting as municipal airport authority, or the municipal authority any of them has created may jointly create a joint airport board whose members are appointed by the governing body of each participating agency. (1-918.3)

There are, then, two kinds of airport boards. See below for the definition of municipalities as it pertains to airport authorities created under Title 1 Chapter 9 of the R.C.M., 1947.

<sup>7</sup>Municipal Airport Authority:

- a) "'Municipality' or 'political subdivision' means a county, city, village or town of this state and any other political subdivision, public corporation, authority or district in this state authorized by law to acquire, establish, construct, maintain,



improve and operate airports and other air navigation facilities." (1-102)

- b) The United States Bureau of Census classifies a Regional Airport Authority as an independent unit of local government but a Municipal Airport Authority as subordinate to the municipality. Both have essentially the same powers and each should be considered as an independent unit of local government, except when the governing body of a municipality appoints a majority of its members to or constitutes itself as the municipal authority. However, the joint board which may be created by two or more public agencies, including municipalities and authorities, is definitely subordinate to those agencies which create it.

<sup>8</sup>Regional Airport Authorities: Governing bodies of two or more municipalities may by joint resolution create a regional airport authority and provide for the appointment of a board of not less than five (5) commissioners.

<sup>9</sup>Joint County Airport Zoning Boards: Comprised of representatives of any political subdivisions of this state as well as any other state included in the airport hazard area. Each political subdivision appoints two members.

<sup>10</sup>Airport Zoning Commission: May be appointed by political subdivision or by joint airport zoning boards.

<sup>11</sup>Economic Opportunity and Poverty Relief City-County Commissions: City councils and county commissioners may create.

<sup>12</sup>Rural Fire District Trustees:

- a) Initially county commissioners appoint five (5) qualified trustees; thereafter trustees are elected. Rural fire districts may exist without a board of trustees if the county commissioners contract for fire protection for the district.
- b) Although the Bureau of Census classifies Rural Fire Districts as "special taxing areas", it seems more probable that they should be considered as independent special districts when they have a board of trustees: the trustees are elected; they prepare annual budgets for the county commissioners and request special levies; they are solely responsible for providing fire protection to their district and may form fire companies and purchase apparatus; they may contract with cities, towns or other districts to provide or receive fire protection.

<sup>13</sup>Board of Trustees of Fire Department Association: Members of the fire department along with members of any volunteer fire department of an incorporated city or town may form a fire department relief association. By majority vote they elect a president and a secretary and a three member board of trustees with the

chief of the fire department and the president of the relief association as ex-officio members.

14City-County Board of Health and City-County Refuse Disposal District Board: The city-county board of health may serve as the board of the city-county refuse disposal district or the county commissioners may appoint a separate board for the refuse disposal district.

15(Multi-county) District Board of Health: Each included municipality also appoints one member.

16Public Hospital District Board: If there is no nominee, the board of county commissioners shall appoint a trustee to fill the term.

17Interlocal Cooperation Commission:

- a) One commission may be established in a county at any one time.
- b) Four (4) members selected by county commissioners;  
Four (4) members appointed by mayor of principal city with approval of council;  
One (1) member appointed by mayor of each of the other cities and towns in the county with the approval of their councils;  
One (1) member selected by the other members, that member to be chairman.
- c) In addition to the act authorizing an Interlocal Cooperation Commission for each county (11-44), there is the Interlocal Cooperation Act of 1967 (16-49) which permits any public agency to contract with any one or more other public agencies to perform any administrative service, activity or undertaking which the public agencies are authorized by law to perform. For this purpose the agencies may create a joint board to administer the joint or cooperative undertaking. The board is to include representatives of the contracting agencies. "Public agency" is here defined as "any political subdivision, including municipalities, counties, school districts and any agency or department of the state of Montana." (16-4903)

18Irrigation District Commissioners: The district judge appoints the initial commission, one commissioner from each of three (3), five (5) or seven (7) divisions within the district. Thereafter, the commissioners are elected.

19Joint Operation of Irrigation Districts:

- a) The board of commissioners of each district involved shall appoint one or more irrigation commissioners from that district. In addition, a landowner from one of the districts shall be appointed by the commission members of the district to serve on the board of control.

- b) The board of commissioners of an irrigation district may contract with the district or districts in an adjacent state for creation of a joint board of control.

20Water Commissioners: Commissioner(s) appointed from one county but may have jurisdiction in and be paid by more than one county.

21Joint City-County Library Boards: Trustees chosen as contract states.

22Federated Library Boards: The board of trustees of each participating library shall name one of their members to the federation advisory board of trustees and each participating entity without a library board shall name a layman to represent that entity on the library federation board of trustees.

23Local Improvement Districts: They are governed by the county commissioners along with the county road superintendent and the local improvement district committee of supervisors.

24Open Space Land Planning Commission: The state, counties, cities, towns or other municipalities in an urban area, acting jointly or in cooperation, are authorized to perform comprehensive planning for the urban area and to establish and maintain a planning commission for this purpose and related planning activities.

25City Board of Park Commissioners: This board may be, but is not required to be, the same as the City Recreation Board. A city, town, school district or any board thereof may create a Board of Recreation.

26Planning Boards:

- a) City-County Planning Board: The eight appointed members select the ninth member with the approval of the city council and the county commissioners.
- b) County Planning Board: One of the five (5) appointed members shall be a member of the governing board of a conservation district or a state cooperative grazing district, if officers of either reside in the county.

27County Planning and Zoning Commission: County Commissioners appoint themselves, the county assessor and the county surveyor.

28The "County Disaster Committee" includes: the members of the agricultural stabilization and conservation county committee of the county involved; the county commissioners and mayor or mayors of the county involved; the office manager of the soil conservation service office in the county involved; the county civil defense director; the county agriculture extension agent; and such other persons not to exceed two (2) in number as the county commissioners may appoint.

CORRECTIONS AND ADDITIONS TO  
LOCAL GOVERNMENT ORGANIZATION CHART

Several corrections or additions may be made to the Local Government Organization Chart:

Under COUNTY:

Below "fire warden" add:

"CCA county rural fire chief and rural district fire chiefs."  
"CCA roundup foremen"  
"CCA bounty inspectors"  
"CCA dam experts"

After "county road superintendent" add "and road supervisors."

Below "COUNTY BOARD OF PARK COMMISSIONERS" add:

"\*28 COUNTY DISASTER COMMITTEE." Add this also on the same  
horizontal line under CITY-COUNTY.  
"CCA INSECT EVALUATION COMMITTEE"  
"CCG ROUNDUP DISTRICTS"

Under COUNTY appears the entry:

"CCG METROPOLITAN SANITARY AND STORM SEWER DISTRICTS STA."  
This should also appear on the same horizontal line under  
CITY-COUNTY.

Under COUNTY, below "IRRIGATION DISTRICT COMMISSIONERS" add:

"DE URBAN TRANSPORTATION DISTRICTS." Add this also on the  
same horizontal line under CITY-COUNTY. On the same level  
but in the column listing the numbers of independent special  
districts add "I(i)." (Urban transportation districts were  
authorized by the 1975 Legislature and in 1966 one was  
created.)

Under the URBAN TRANSPORTATION DISTRICT entry in the CITY-  
COUNTY column add:

"C+=CC= TRANSPORTATION DISTRICT SELECTION BOARD"  
COUNTY WATER AND SEWER DISTRICT DIRECTORS appear as the  
next-to-the last item under COUNTIES. They should be in-  
cluded on the same horizontal level all the way across the  
chart with the following designations:

MULTI-CITY: MA, MA, DE  
CITY: MA, DE  
CITY-COUNTY: MA, CCA, DE  
COUNTY: CCA, DE  
MULTI-COUNTY: CCA, CCA, DE

Under CONSERVANCY DISTRICT BOARD OF SUPERVISORS add:

"CC= BOARD OF SCHOOL BUDGET SUPERVISORS"  
"CCS or CCA COUNTY TRANSPORTATION COMMITTEE"

Under COUNTY and under CITY add:  
"DE or E COMMUNITY COUNCILS"

Under the column indicating the numbers of independent districts the following changes should be made:

The number of independent REFUSE DISPOSAL DISTRICTS has increased greatly since 1972: Change "I(8)" to "I(19)."

On horizontal line with "IRRIGATION DISTRICT COMMISSIONERS" add: "I(53)." Delete "I(53)" from the horizontal line with "WATER COMMISSIONERS."

Under the first column of the KEY add "\* see accompanying footnotes."

Under the fourth column of the KEY, delete from the STA entry that portion which reads "(# of such districts in state in 1972)." (This entry properly refers not to STA's but to the independent special districts.)

Under the JUDICIAL DISTRICT AND MULTI-COUNTY AREAS column; add "DJ" beside "appraisers (protested sale of county property.)"

\*Since 1972 the number of special districts and authorities has grown and continues to grow beyond what is shown on this chart.



## CHAPTER VII

### CEMETERY DISTRICT FLOW CHART

#### COMMENTARY

In 1972 the Bureau of Census counted over 258 separate independent special purpose districts in Montana, plus 552 school districts. The number of special districts has grown: there are more refuse disposal districts, sewer and water districts, hospital districts, airport authorities, and housing authorities than there were in 1972. In addition, fire districts which elect their boards of trustees might appropriately have been included on the Census Bureau's list. Altogether, including school districts, there are probably well over 850 independent special purpose local governments in Montana.

This flow chart of a cemetery district is included in order to illustrate the interaction of local government officials with one kind of special district, its governing board and a resulting related board. It also indicates areas of independence in the functioning of the boards. The United States Bureau of Census categorizes cemetery districts as independent units of local government because they possess a high degree of fiscal, policy-making and administrative independence.

The cemetery district flow chart illustrates the procedures of the district as they are outlined by statute. However, the chart says nothing about how such a district may actually function in any given county. In addition to what the chart addresses itself to, there are a number of questions one might want to ask about cemetery districts, some of which relate to other boards or districts as well:

#### WHAT DOES EXIST?

1. For whom does the district provide services? (only people within the district? anyone who will pay for the service?)
2. What sources of income does the district have?
3. What expenditures does the district have?
4. According to (9-209) a cemetery district is not liable for any expenditures in excess of its budget. If excess expenditures occur, how are they handled--who pays?

5. What other options exist for providing this service?  
(private, city, county, state)
6. How does a specific district actually function?

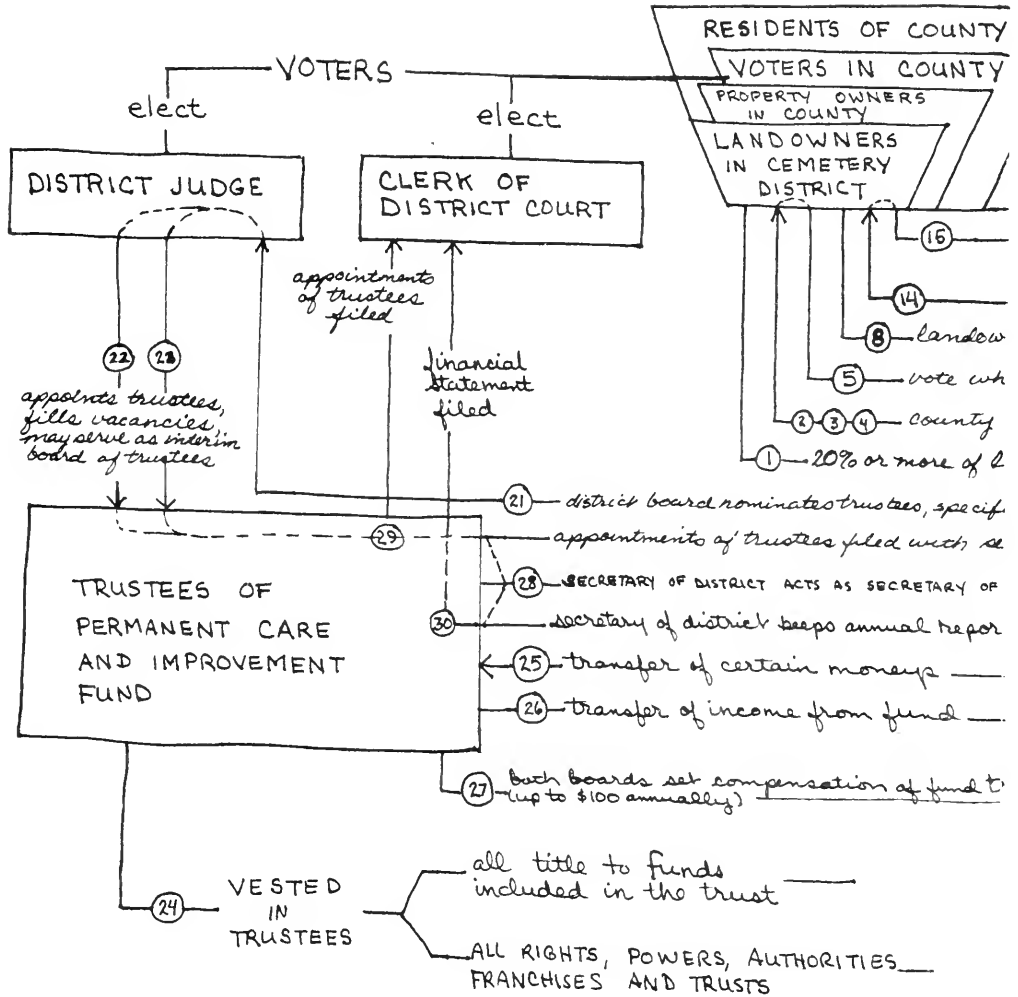
WHAT SHOULD EXIST?

7. Why was a special district created to provide the service?
8. Is the service needed?
9. Who might best provide the service? (private, city, county, district, state)

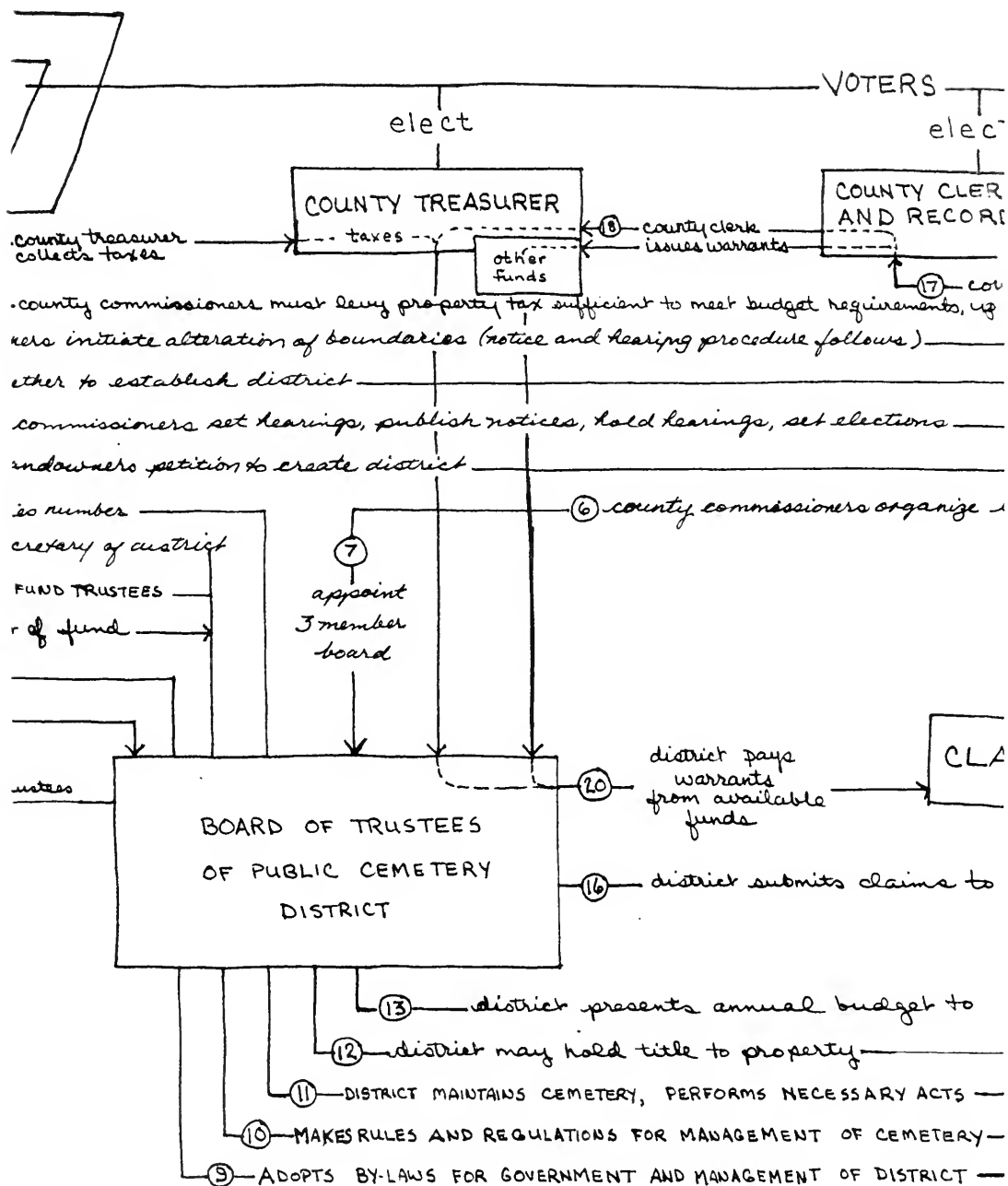
The Revised Codes of Montana, 1947 currently provide several alternatives for the provision of cemetery services in cities and counties:

1. (9-101 to 9-134) Private associations organized in a manner similar to public cemetery districts. (There is a great deal of interaction with local government officials. Cities or towns may provide cemetery with free water. Cemetery lands and property of associations are exempt from taxation.)
2. (9-201 to 9-230) Cemetery districts.
3. (9-301 to 9-307) City owned and operated public cemeteries.
4. (9-301 to 9-307) County owned and operated public cemeteries which may include unincorporated towns in the county.
5. (9-401) Joint city-county cemeteries.



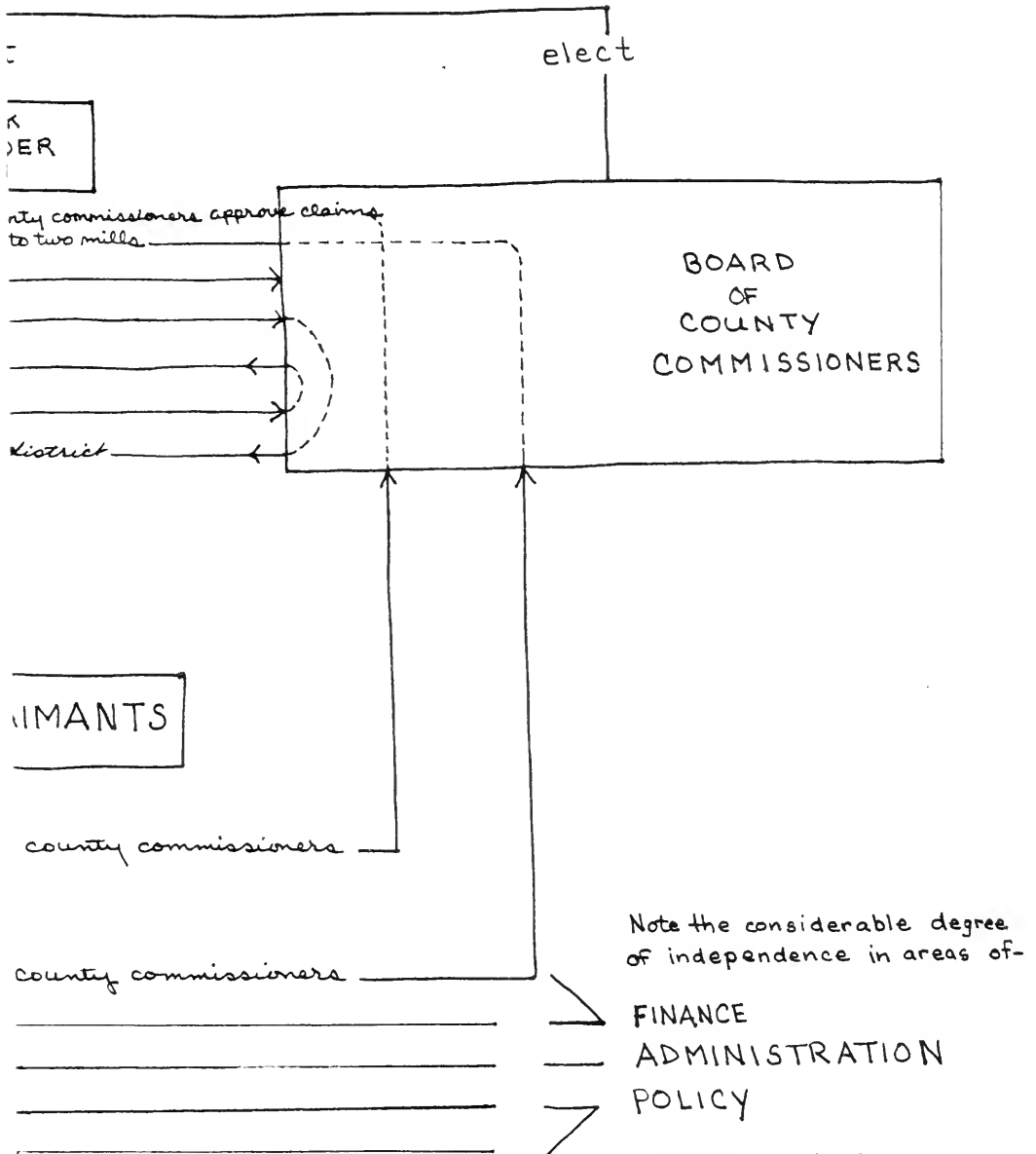


- Creation of district, boundary changes, appointments
- ADMINISTRATION, FUNCTION, POLICY
- budget and finance



# SAMPLE FLOW CHART:

A CEMETERY DISTRICT as authorized in R.C.M., 1947





KEY TO NUMBERS ON THE  
SAMPLE FLOW CHART OF  
A PUBLIC CEMETERY DISTRICT

Citations refer to Revised Codes of Montana, 1947.

CREATION OF DISTRICT

1. 9-202 - 20% of citizen landowners within proposed district petition county commissioners to create district.
2. 9-202 - county commissioners set preliminary hearing, publish notice of hearing.
3. 9-203 - county commissioners hold preliminary hearing or hearings.
4. 9-204 - county commissioners hold final hearing, may alter boundaries, shall define and establish boundaries.
5. 9-205 - county commissioners shall call an election.
6. 9-206 - if favorable vote, county commissioners organize district.
7. 9-207 - county commissioners appoint three trustees (eventually, staggered three year terms). Per diem and mileage may be set by the county commissioners.
8. 9-211 - citizen landowners within area to be annexed or to withdrawn petition county commissioners for change;  
9-215 county commissioners: public notice and hearing procedure prior to declaration of boundary change.

POWERS OF DISTRICT

9. 9-207 - trustees adopt bylaws for management and government of district at their first meeting.
10. 9-210 - trustees shall make rules and regulations for management of the cemeteries.
11. 9-208 - district may maintain cemetery or cemeteries within district and perform all acts necessary or proper for carrying out purposes of this act.
12. 9-208 - district may hold title to property by grant, gift, devise, lease or any other method.

BUDGET

13. 9-209 - district trustees annually present budget to county commissioners.

14. 9-209 - county commissioners must levy upon all property within the cemetery district sufficient tax to meet budget requirements of district trustees. Tax not to exceed two (2) mills. Expenditures in excess of annual budget shall not be a liability of the cemetery district.
15. 9-209.1 - county treasurer collects taxes for district.
16. 9-209.1 - district submits claim to county commissioners.
17. 9-209.1 - county commissioners approve claim.
18. 9-209.1 - county clerk issues trust fund warrant drawn upon cemetery district and payable to claimant.
19. 9-209.1 - county treasurer disburses proceeds of taxes to district.
20. 9-209.1 - district pays warrant of claimant from available funds.

PERMANENT CARE AND IMPROVEMENT FUND OF PUBLIC CEMETERY DISTRICT  
(9-216 to 9-230)

21. 9-217 - public cemetery district trustees submit to district judge a list of potential permanent care and improvement fund trustees, specifying the number of trustees (1-5).
22. 9-217 - district judge appoints board of trustees of fund  
to for three year term.  
9-218
23. 9-220 - district judge fills vacancies and may serve as in-  
to terim board of trustees.  
9-222
24. 9-220 - all title to funds included in said trust and all  
to rights, powers, authorities, franchises and trusts  
9-222 are vested in trustees.
25. 9-224 - cemetery district trustees transfer to fund trustees 15-20% of moneys from sale or designated by owners for care of perpetual care lots: cemetery district trustees may also transfer unexpended district money.
26. 9-225 - fund trustees turn over to treasurer of district trustees semi-annually all income from fund.
27. 9-228 - district and fund trustees agree upon compensation of board of trustees of funds up to \$100 per year from general fund of district until fund reaches \$10,000, then from its income.

28. 9-229 - secretary of public cemetery district shall act as secretary of board of trustees of fund.
29. 9-223 - instruments of appointment of trustee filed with secretary of public cemetery district and also with clerk of district court.
30. 9-222 - detailed financial statement filed annually with  
to clerk of district court and also kept by secretary  
9-230 of district.

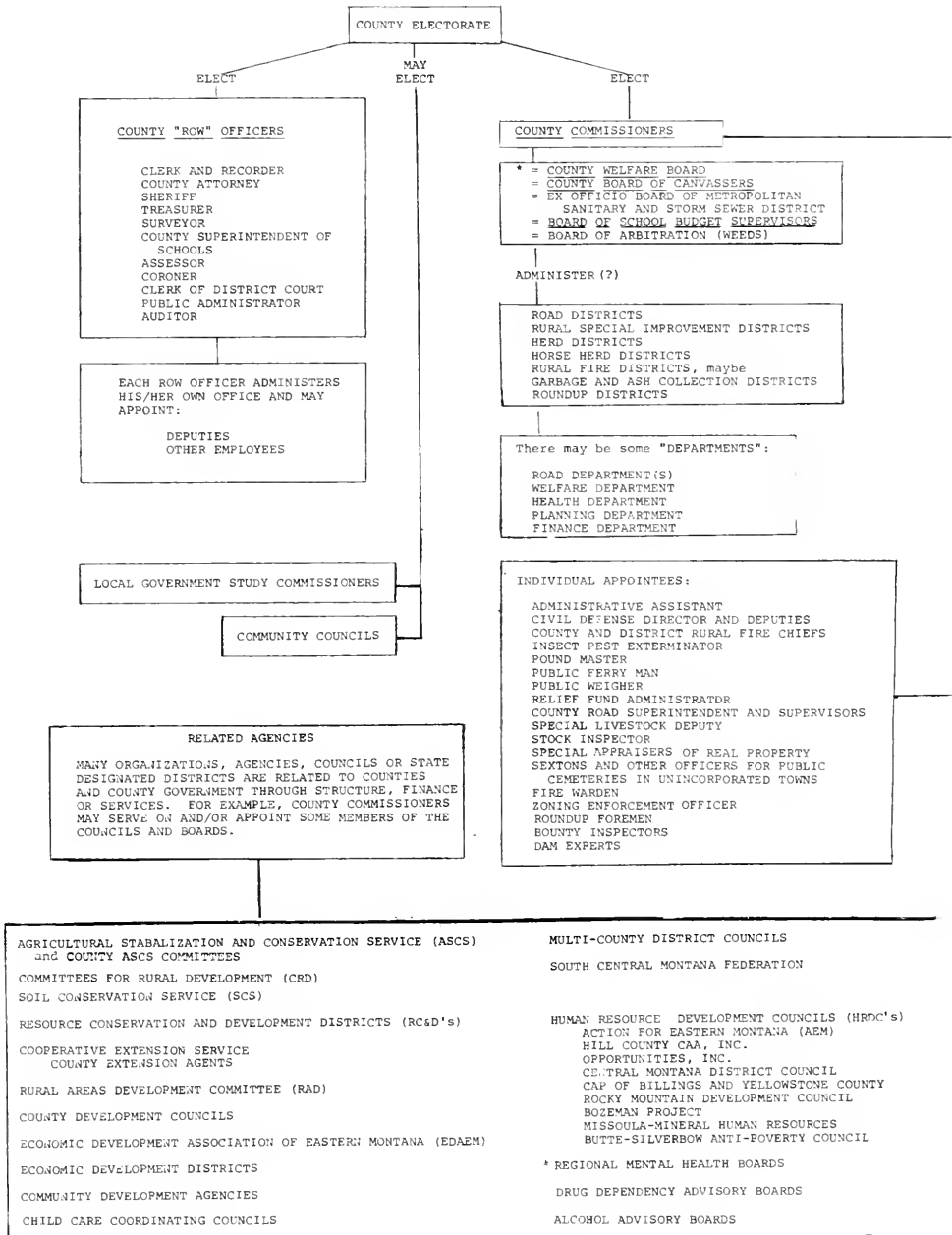




## CHAPTER VIII

### COUNTY STRUCTURES AND ACTIVITIES CHART

The structures and activities of county government extend beyond the specifically authorized elected officials, appointees, boards and districts that form the core structure of county government. Counties perform various functions for independent special purpose local governments: school districts, special districts, and authorities. In addition there is an array of agencies which are not part of local government but which relate to local governments through structure, finance, or services. They are part of a complex pattern which may involve multi-county, local-state, local-federal, or local-state-federal structures and relationships.



APPOINT

ADVISORY BOARDS

COUNTY LAND ADVISORY BOARD  
COUNTY LIVESTOCK PROTECTIVE COMMITTEE  
COUNTY PLANNING BOARD  
(Advises commissioners; administers  
planning "department")  
INSECT PEST EVALUATION COMMITTEE

QUASI-JUDICIAL BOARDS

COUNTY ELECTION BOARDS  
COUNTY TAX APPEALS BOARD  
COUNTY BOARD OF ADJUSTMENT

ADMINISTRATIVE BOARDS

COUNTY BOARD OF HEALTH  
COUNTY LIBRARY BOARD  
MUSEUM BOARD  
\*COUNTY PARK BOARD  
COUNTY FAIR BOARD  
AIRPORT BOARD  
\*AIRPORT AUTHORITY  
COUNTY HOUSING AUTHORITY  
AIR POLLUTION CONTROL BOARD  
\*COUNTY BUILDINGS & IMPROVEMENTS  
MANAGEMENT COMMISSION

\*COUNTY COMMISSIONERS ARE AUTHORIZED  
OR REQUIRED TO BE MEMBERS OF CERTAIN  
BOARDS, SUCH AS

URBAN TRANSPORTATION DISTRICT  
SELECTION BOARD  
COUNTY DISASTER COMMITTEE

COUNTY COMMISSIONERS MAY APPOINT SOME  
MEMBERS OF

CITY-COUNTY BOARDS, such as:

ADVISORY BOARDS  
CITY-COUNTY PLANNING BOARD  
AIRPORT ZONING COMMISSION  
\*COUNTY PLANNING & ZONING COMMISSION

REGULATORY OR SUPERVISORY BOARDS  
AIRPORT ZONING BOARD  
CITY-COUNTY DEPARTMENT OF PUBLIC  
SAFETY COMMITTEE OF SUPERVISORS

ADMINISTRATIVE BOARDS  
CITY-COUNTY LIBRARY BOARD  
\*CITY-COUNTY AIRPORT AUTHORITY  
AND/OR BOARD  
CITY-COUNTY BOARD OF HEALTH  
CITY-COUNTY AIR POLLUTION CONTROL  
BOARD

BOARDS FORMED THROUGH INTERLOCAL COOPERATION  
AGREEMENTS, such as:

ADVISORY BOARDS  
AREAWIDE PLANNING ORGANIZATION

ADMINISTRATIVE BOARDS  
CITY-COUNTY-SCHOOL LIBRARY BOARD  
CITY-COUNTY-SCHOOL RECREATION BOARD  
CITY-COUNTY GAMBLING COMMISSION

EACH POLITICAL SUBDIVISION OF THE STATE  
IS TO ESTABLISH A CIVIL DEFENSE  
ORGANIZATION

COUNCILS ON AGING (COUNTY AND AREA)

EMERGENCY MEDICAL SERVICES

SHELTERED WORKSHOP BOARDS

DEVELOPMENTALLY DISABLED BOARDS

AREA MANPOWER PLANNING BOARD ADVISORY COUNCILS

LAW ENFORCEMENT REGIONAL COUNCILS

CIVIL DEFENSE DISTRICTS

AIR QUALITY CONTROL REGIONS AND MAINTENANCE AREAS

WATER QUALITY MANAGEMENT PLANNING DISTRICTS

FOREST FIRE PROTECTION DISTRICTS

GRAZING DISTRICTS

INDIAN RESERVATIONS AND  
TRIBAL COUNCILS

THIS CHART ILLUSTRATES SOMETHING OF THE POTENTIAL RANGE OF ACTIVITIES AND STRUCTURES CURRENTLY INVOLVING MONTANA COUNTIES. IT REFLECTS BOTH MORE AND LESS THAN THE REALITY OF ANY GIVEN COUNTY'S OPERATION.

THOSE COUNTY BOARDS MANDATED BY STATE LAW ARE UNDERLINED.

BOARDS HAVE BEEN CATEGORIZED AS BEING ADVISORY, QUASI-JUDICIAL OR ADMINISTRATIVE ACCORDING TO THE APPARENT INTENT OF STATE STATUTES.

Prepared by the State Commission on Local Government - November, 1975, Revised 1977

#### APPOINTED SPECIAL DISTRICT ADMINISTRATIVE BOARDS

WEED CONTROL DISTRICT BOARD  
PUBLIC CEMETERY DISTRICT BOARD  
TELEVISION DISTRICT TRUSTEES  
REFUSE DISPOSAL DISTRICT BOARD  
MOSQUITO CONTROL DISTRICT BOARD

#### THERE ARE ALSO ELECTED SPECIAL DISTRICT ADMINISTRATIVE BOARDS

RURAL FIRE DISTRICT TRUSTEES  
LOCAL IMPROVEMENT DISTRICT SUPERVISORS  
PUBLIC HOSPITAL DISTRICT BOARD  
(SOIL AND WATER) CONSERVATION DISTRICT SUPERVISORS  
DRAINAGE DISTRICT COMMISSIONERS  
IRRIGATION DISTRICT COMMISSIONERS  
COUNTY WATER AND SEWER DISTRICT DIRECTORS  
CONSERVANCY DISTRICT SUPERVISORS  
URBAN TRANSPORTATION DISTRICT BOARD

#### MULTI-COUNTY SPECIAL DISTRICT ADMINISTRATIVE OR ADVISORY BOARDS

##### APPOINTED BOARDS

JOINT REFUSE DISPOSAL DISTRICT  
JOINT MOSQUITO CONTROL DISTRICT  
FAIR DISTRICT  
CATTLE PROTECTIVE DISTRICT COMMITTEE  
LIBRARY FEDERATION BOARD

##### ELECTED BOARDS

MULTI-COUNTY WATER AND SEWER DISTRICT  
MULTI-COUNTY RURAL IMPROVEMENT DISTRICT

#### COUNTIES PERFORM MANY FUNCTIONS FOR SCHOOL DISTRICTS

ELECTED SCHOOL DISTRICT BOARD  
OF TRUSTEES  
BOARD OF SCHOOL BUDGET SUPERVISORS  
COUNTY TRANSPORTATION COMMITTEE

#### COMMUNITY COLLEGE DISTRICTS AND BOARD OF TRUSTEES

#### JUDICIAL DISTRICTS AND DISTRICT COURTS

#### STATE GOVERNMENT ADVISORY COUNCILS RELATED TO LOCAL GOVERNMENT

AGING SERVICES ADVISORY COUNCIL

AIR POLLUTION ADVISORY COUNCIL

ALCOHOL AND DRUG DEPENDENCY ADVISORY COUNCIL

BICENTENNIAL ADVISORY COUNCIL  
AND COUNTY BICENTENNIAL COMMITTEES

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

LIBRARY ADVISORY COUNCIL

LOCAL GOVERNMENT ADVISORY COUNCIL

MENTAL HEALTH ADVISORY COUNCIL

MONTANA CRIMINAL JUSTICE STANDARDS AND GOALS ADVISORY  
COUNCIL AND TASK FORCES

MONTANA MANPOWER ADVISORY COUNCILS

MONTANA ADVISORY COUNCIL FOR SERVICES AND  
FACILITIES FOR THE DEVELOPMENTALLY DISABLED

MOSQUITO ABATEMENT ADVISORY COUNCIL

PREDATOR AND RODENT CONTROL ADVISORY COUNCIL

PEACE OFFICERS STANDARDS AND TRAINING ADVISORY  
COUNCIL

RESOURCE CONSERVATION ADVISORY COUNCIL

STATE COMMISSION ON LOCAL GOVERNMENT

CITY, COUNTY BUDGETARY ACCOUNTING AND REPORTING  
SYSTEMS ADVISORY COUNCIL

WEED CONTROL ADVISORY COUNCIL

COUNTY PRINTING COMMISSION

## CHAPTER IX

### RELATED AGENCIES

Each of the following lists of "related agencies" is meant to be an indicative list not a comprehensive one. Some of the agencies listed, such as the Cooperative Extension Service, appear to be fairly permanent. Others, such as the Montana Criminal Justice Standards and Goals Advisory Council or the State Commission on Local Government, exist only for a specified period of time and for a particular limited purpose. Others fall somewhere in between, but most, to some extent, depend for their continued existence on their responsiveness to local needs and on the willingness of local people to invest the time, energy, and/or money required to maintain the viability of any board, council, or association.

The following agencies, boards, committees, councils or districts exist on a sub-county, county, or multi-county or even statewide basis. Some were created essentially through local efforts; others have had the additional impetus of, or are the direct result of, federal or state-and-federal legislation and/or funding. They fall, roughly, into one or more of the following, overlapping, categories of concern: agriculture, community development, education, environment, human services, justice, and planning. Many of these agencies, whether or not they are created through specific legislation, are private or public non-profit corporations. In addition to those districts listed here, some state or federal agencies have created other districts, such as highway districts, in order to facilitate the performance of their administrative, regulatory or other duties.

CITATION, (If any)  
R.C.M., 1947

Agricultural Stabilization and Conservation  
Services (ASCS) and ASCS County Committees

Air Quality Control Regions and Maintenance  
Areas

Alcohol Advisory Boards (may be the Regional  
Mental Health Board)

Area Manpower Planning Advisory Councils

Board of Crime Control Regional Advisory  
Councils

	Child Care Coordinating Councils
	Citizens Advisory Councils
	Civil Defense Districts
	Committees for Rural Development (CRD's)
75-81	Community College Districts
	Community Development Agencies
16-1130	Cooperative Extension Service and County Extension Agents
	County and Area Councils on Aging
	County Bicentennial Committees or Com- missions
	County Development Councils
	Drug Dependency Advisory Councils (may be the Regional Mental Health Board)
	Economic Development Association of Eastern Montana
	Economic Development Districts
	Emergency Medical Service Councils
28-105	Forest Fire Protection Districts
43-2317	Grazing Districts
	Human Resource Development Councils (HRDC's)
	Action for Eastern Montana (AEM)
	Hill County CAA, Inc.
	Opportunities, Inc.
	Central Montana District Council
	CAP of Billings and Yellowstone County
	Rocky Mountain Development Council
	Bozeman Project
	Missoula-Mineral Human Resources
	Butte-Silverbow Anti-Poverty Council
1972 Constitution, VII, 6	Judicial Districts and District Courts
	Multi-County Districts and District Councils

CITATION, (If any)  
R.C.M., 1947

	Policy Coordinating Committees (PAC's) (Urban Areas)
71-2407	Regional Councils for the Developmentally Disabled
80-2804	Regional Mental Health Boards (See also: Alcohol Advisory Boards and Drug De- pendency Advisory Boards)
	Resource Conservation and Development Districts (RC&D's)
	Beartooth RC&D Bitterroot RC&D Headwaters RC&D
	Rural Areas Development Committee (RAD)
Title 75	School Districts
	Sheltered Workshop Boards
76-105 to 76-107	Soil Conservation Service (SCS) (See also: Soil Conservation Districts)
	South Central Montana Federation
	Technical Advisory Committees (TAC's) (Urban Areas)
	Water Quality Management Planning Districts

RELATED AGENCIES  
AND  
SPECIFIC COUNTY FINANCIAL PROVISIONS

Counties are specifically authorized to appropriate money for the following purposes associated with "related agencies":

CITATION  
R.C.M., 1947

16-1130	Cooperative Extension Service	No Limit
80-2407	Regional Mental Health Board	1 Mill
69-3601	Ambulance Service (Emergency Medical Services)	1 Mill
71-1701	Senior Citizens Recreation (Councils on Aging; Senior Citizen Centers)	1 Mill
11-4111	Economic Development	1 Mill
11-4305	City-County Emergency Fund (County Disaster Committee)	2 Mills

SAMPLE "RELATED AGENCY" SUMMARIES

Following are very informal sketches of some "related agencies". Their purpose is to illustrate the relationships or interaction of these agencies with county government. For the most part the sketches were prepared in late 1975 and early 1976, which means that changes have taken place since then in the structure, financing, focus, or perhaps even viability of some of these groups. However, these summaries may still serve to expand the scope of one's vision regarding the range of county involvement in contemporary issues and activities.



AGRICULTURAL STABILIZATION AND  
CONSERVATION SERVICE (ASCS)  
COMMUNITY, COUNTY AND  
STATE COMMITTEES

The Agricultural Stabilization and Conservation Service was created in the 1930's as an agency of the U.S. Department of Agriculture. There are ASCS offices in 46 counties in the state, each staffed by an executive director. Some counties share ASCS personnel. The ASCS administers U.S. farm programs and certain disaster relief funds in the counties.

The Secretary of Agriculture appoints three farm people to the state ASCS committee. The state committee determines the nature and range of farm programs, practices and policies that may be implemented in Montana. Locally the ASCS functions through elected county committees which establish farm policy for their counties. The county committee decides which U.S.D.A. programs the county will participate in, determines individual eligibility for programs, and prioritizes the allocation of cost-sharing and disaster relief funds in the county.

ASCS county committees are elected by eligible farm voters from among their own number. The county may be divided into two or more communities, in which case each community ballots by mail to elect three community committee members. All of the community committee people serve as delegates to a county-wide ASCS convention at which they select the three county committee members and their alternates. Alternatively, the entire county may be one community in which case there is a single direct election with balloting by mail.

People serving on county ASCS committees are paid mileage expenses plus thirty dollars a day for the days they are working.

Perhaps the most obvious interaction between ASCS and local government comes through the county disaster committee. According to state law the county disaster committee consists of the ASCS county committee, the Soil Conservation Service office manager, the county agricultural extension agent, the county commissioners, the mayor or mayors of any affected towns or cities, and two appointees of the county commissioners. They meet to make an official county-level determination about whether the county has suffered a disaster, a process required to enable local governing bodies to impose an emergency levy of up to two mills for disaster relief. In addition, the ASCS county committee may ask the state ASCS committee to request that the governor designate all or part of the county as a disaster area in order to make it eligible for special state or federal disaster relief funds.

BOARD OF CRIME CONTROL  
REGIONAL ADVISORY COUNCILS

Attached to the State Board of Crime Control are five Regional Advisory Councils created in 1975 to conform with Law Enforcement Administration guidelines. The preamble to Councils' by-laws states that the Council members

shall strive to assist the State Board of Crime Control and local governments within the Region to strengthen and improve law enforcement and the criminal justice system so that government will be able to effectively prevent crime, preserve individual rights, and insure greater safety for the people of Montana.

The five Regional Advisory Councils represent the same multi-county areas as the State's designated administrative regions.

<u>Region</u>	<u>Counties</u>
I	Lincoln, Flathead, Lake, Sanders, Mineral, Ravalli, Missoula
II	Lewis and Clark, Powell, Granite, Deer Lodge, Beaverhead, Madison, Jefferson, Silver Bow, Broadwater, Gallatin, Park, Meagher
III	Glacier, Toole, Liberty, Hill, Blaine, Teton, Pondera, Chouteau, Cascade
IV	Judith Basin, Fergus, Petroleum, Wheatland, Golden Valley, Musselshell, Sweet Grass, Stillwater, Yellowstone, Carbon, Big Horn
V	Phillips, Valley, Daniels, Sheridan, Roosevelt, Mc Cone, Richland, Dawson, Garfield, Prairie, Wibaux, Treasure, Rosebud, Custer, Fallon, Powder River, Carter

The Board of Crime Control sets forth the by-laws under which the Councils are to operate. Each Council adopts the by-laws and may amend them with the approval of the Board.

Each Council consists of twelve people who represent the following categories: juvenile probation officer or aftercare counselor, mayor, county commissioner, police chief, sheriff, district court judge, county attorney, state legislator, representative of a youth organization, representative of an agency concerned with neglected children, adult parole/probation officer, and defense attorney.

Council members are appointed by the chairman of the State Board of Crime Control upon recommendation of the Council. Initially, in 1975, some members were appointed for one year and some for two years; subsequent appointments will be for two year terms. The Council elects a chairman, vice-chairman, and secretary from among its members.

Any committees formed by the Council must be composed of Council members, unless the Board specifically authorizes otherwise. All committee members serve at the pleasure of the chairman.

Members of the Council are reimbursed for travel expenses including mileage to attend Council meetings, which are held at least once a quarter but not more than once a month.

In each region the Board has headquartered a Regional Field Advisor who works with the Council.

According to their by-laws, the objectives and goals of the Councils include:

1. Establishment of local priorities for long and short range improvement programs for Montana's criminal justice system;
2. Providing planning input to the State Board of Crime Control for use in the annual comprehensive criminal justice plan in general, and the annual action programs;
3. Reviewing and evaluating local problems and needs to aid in subgrant review of law enforcement programs;
4. Implementing and following the written policies, programs and guidelines established by the State Board of Crime Control and the Law Enforcement Assistance Administration.

## COMMITTEES FOR RURAL DEVELOPMENT (CRD'S)

The U. S. Department of Agriculture has sponsored the creation of county, area and State Committees for Rural Development. The State CRD consists of the state directors of the following organizations: Extension Service, Farmers Home Administration, Agricultural Stabilization and Conservation Service, Rural Electrification Administration, Economic Research Service, U. S. Forest Service, Agriculture Experiment Station (MSU), Agricultural Research Service, and Montana Divisions of Planning and Economic Development.

The six area CRD's are made up of area representatives of ASCS, FHA, SCS and sometimes the U. S. Forest Service. Each area CRD works as a training and coordinating group with the county CRD's in that area, to assist county CRD's in meeting and functioning as they are intended to. The six CRD areas include the following counties:

Area Headquarters	Counties Included
Missoula	Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Powell, Ravalli, Granite, Deer Lodge
Bozeman	Lewis & Clark, Meagher, Broadwater, Jefferson, Silver Bow, Beaverhead, Madison, Gallatin, Park
Great Falls	Glacier, Toole, Liberty, Hill, Blaine, Pondera, Chouteau, Teton, Cascade
Lewistown	Judith Basin, Fergus, Petroleum, Garfield, Phillips, Valley, Daniels, Roosevelt, Sheridan
Billings	Wheatland, Golden Valley, Musselshell, Rosebud, Treasure, Yellowstone, Stillwater, Sweet Grass, Carbon, Big Horn
Miles City	Powder River, Carter, Custer, Fallon, Prairie, Wibaux, Dawson, McCone, Richland

In its plan of work the State Committee for Rural Development declares that "its primary role is to facilitate social and economic improvement in Montana."

The State and Local CRD's are designed to encourage better communication, cooperation and coordination among the agencies and with other groups, both agricultural and non-agricultural. The committees and their agencies are to provide informational, educational and technical assistance to citizens and groups concerned with development of local resources, including human resources. Among the objectives of the CRD's is "to encourage and support the improvement of community business, facilities and services." The State CRD work plan specifically recognizes rural community needs in health, education, cultural and recreational opportunities, and housing.

There are 48 county CRD's, some of which serve more than one county. County committees are made up of local representatives of approximately the same groups that comprise the State Committee, particularly ASCS, SCS, County Extension Agency and Forest Service.

Extensive involvement of elected county officials in CRD's appears to be infrequent, although the Flathead County Commissioners, for example, have worked closely with the CRD in their county. Members or participants sometimes include representatives from the city-county or county health department (often the County Sanitarian), the planning board, or the mosquito abatement district board.

CRD's receive no direct funding, although through the cooperation of the agencies they represent they are able to pursue projects of mutual concern. For example, recently some CRD committees have focused on saline seep, mosquito abatement, grasshopper control and sanitary landfills.

Each county CRD has prepared and is responsible for updating a situation statement for its county. The situation statements are concerned with the people, natural resources, agriculture, and industrial problems and opportunities in the county.

## COOPERATIVE EXTENSION SERVICE

The Montana Cooperative Extension Service was organized in 1915 as a consequence of the Smith-Lever Act passed by Congress in 1914. The Act provided that in cooperation with the U. S. Department of Agriculture the land grant college in each state must carry out Extension work, the purpose of which is

to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage application of the same.

According to a publication of the Montana Cooperative Extension Service,

the Extension Service was organized to help accomplish the national goals of creating a bountiful supply of efficiently produced foods and improving the quality of rural communities.

. . .

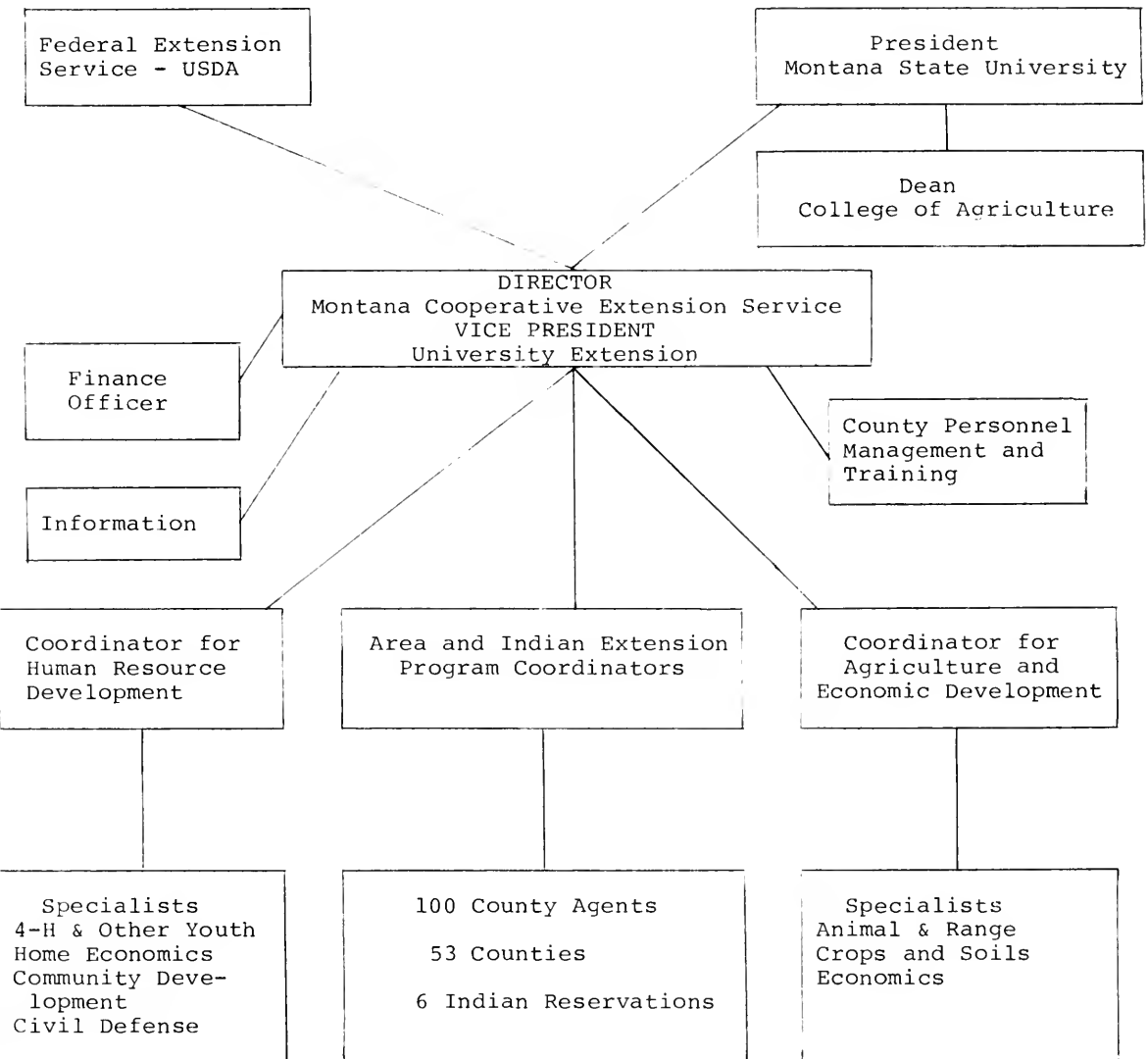
Some of the dominant features of the Cooperative Extension Service nationally have been its high commitment, along with agricultural production, to 4-H clubs, family life education, educational programs with women, and broad-spectrum community development.

The Extension Service functions as the educational arm of the U. S. Department of Agriculture, while, at the same time, it is a branch of Montana State University, the state's land grant university. County extension agents are considered to be faculty members of the University, although they work and reside in the various counties and are paid partly through county taxes, as authorized by Title 16, Section 1130, Revised Codes of Montana, 1947.

There are 100 county extension agents in 53 counties and six Indian reservations. Some of the less populated counties share agents, while some of the more populated may have several agents. The state Extension Service selects the agent but county commissioners usually retain the right to approve or veto the selection.

Following is an organization chart of the Montana Cooperative Extension Service:

ORGANIZATIONAL CHART  
MONTANA COOPERATIVE EXTENSION SERVICE



The varied involvements of the Extension Service are reflected in its funding arrangements.

Extension is funded by federal, state, and county governmental units as well as by grants from the private sector. Some federal funds are earmarked for specific purposes to meet current national needs, such as those for civil defense, marketing, and nutrition programs with low income people. Certain state funds are also earmarked for special purposes; for example, recent appropriations for work with fertilizers and soils. County funds are used to support Extension agents in their respective counties. As to funds from the private sector, these are committed for specific purposes.

County extension agents work closely with their county governments; frequently county extension offices are located in the county courthouse. An extension agent may serve on or work with the fair board, especially where the county fair includes 4-H activities. The county extension agent is, by law, an ex officio member of the county weed board (Title 16, Section 1713, R.C.M. 1947) and the agricultural extension agent is a member of the county disaster committee (Title 11, Section 4301(e), R.C.M. 1947).

Primary areas of concern to extension agents are traditionally agricultural and homemaker services, 4-H and, more recently, community development in all its aspects, ranging from leadership training and conflict resolution to better provision of community services, natural resource development and economic development. The Kellogg Education Extension Program is conducted under the auspices of the Cooperative Extension Service.

The Cooperative Extension Service has helped to create and/or actively participates in a number of organizations concerned with various aspects of rural development. These groups include the Economic Development Association of Eastern Montana, the South Central Montana Development Federation, the Rural Areas Development Council, Resource Conservation and Development Districts, Committees for Rural Development, and County Development Councils.



## COUNCILS ON AGING

County councils on aging and multi-county area councils on aging are closely interrelated. Since 1972 a county council on aging has been formed in each county in the state except Silverbow. The impetus for their formation came from federal requirements for funding Title III direct service programs in the counties. County councils on aging exist to assess the needs of the elderly in the county, to evaluate how these needs are being met by either private or public means, to develop policies and plans related to these needs, and to provide a mechanism for involving local governments and facilitating inter-county cooperation.

The board of county commissioners in each county appoints from five to seventeen people to the county council on aging. Over half of the council should be comprised of persons who are at least 55 years old. Minority and poverty groups are also to be represented. In many counties the commissioners themselves serve on the county council.

The area councils consists of one county commissioner and one recipient of services from each county in the area. The council advises the area agency on aging, which has a governing board drawn from the area council. The agency is a private non-profit corporation, staffed by an executive director and as many as three additional persons.

Area*	Name of Agency	Counties Included
I.	Action for Eastern Montana	- Phillips, Valley, Daniels, Sheridan, Roosevelt, Garfield, McCone, Richland, Dawson, Prairie, Wibaux, Treasure, Rosebud, Powder River, Fallon, Carter
II.	Area Agency on Aging	- Judith Basin, Fergus, Petroleum, Wheatland, Golden Valley, Musselshell, Yellowstone, Stillwater, Carbon, Sweetgrass, Big Horn
III.	North Central Area Agency on Aging	- Glacier, Toole, Liberty, Hill, Blaine, Teton, Cascade, Chouteau, Pondera
IV.	Rocky Mountain Development Council	- Lewis & Clark, Jefferson, Meagher, Broadwater, Gallatin, Park

\*As of mid-1976 areas boundaries were being reconsidered.

Area	Name of Agency	Counties Included
V.	Area Agency on Aging	- Beaverhead, Granite Silver Bow, Powell Madison, Deer Lodge
VI.	Western Montana Area Agency on Aging	- Lincoln, Flathead, Sanders, Mineral, Missoula, Lake, Ravalli
VII.	Reservation Area Agency on Aging	- All seven Indian Reser- vations

In accordance with the Older American Act, the county councils on aging determine what programs they want to develop and implement in their counties.

Councils on aging are concerned with services and activities including transportation, health care (both physical and mental health and including home health care and rehabilitation), homemaker and handyman services, senior citizen centers, legal assistance and outreach programs.

On the basis of the desired county programs, the area council establishes priorities and formulates a multi-county plan. The area agency submits this plan to the Aging Services Bureau with its request for Title III funds. The Aging Services Bureau allocates block grants to the area agencies based on the following formula: sixty percent for people sixty years old or older; twenty percent for minority people sixty or older; twenty percent for impoverished people sixty or older.

Upon receiving notice of the amount of block grant to the area, the area agency may enter into formal agreements with the county councils about the services to be provided and the amounts and sources of funding.

Administrative costs of area agencies are paid predominantly through federal funds with local matching funds or services. Up to fifteen percent of the Title III grant to the state may be divided among the seven areas for their administrative costs. Each area must provide a twenty-five percent local match of money and/or in-kind services. In the past areas have also received portions of the unused administrative funds of the Aging Services Bureau and federal "foreward funding" monies to help defray administrative expenses, but these funds will probably not be available in the future. ("Foreward funding" refers to money allocated in the previous fiscal year but held to be spent during the current fiscal year.)

The eighty-five percent of Title III money which is designated for programs in the counties is distributed as a block grant to each area according to the population formula mentioned above. Counties must provide a twenty-five percent local cash match to receive these funds. Local cash may come from private sources,

revenue sharing, and/or the authorized one mill levy which permits cities, towns and counties to levy up to one mill "for the promotion and development of recreational, educational, and other activities of the elderly."

Area agencies also utilize Title XX funds, for example for transportation, senior citizen centers and meals-on-wheels. Nutrition projects, funded under Title VII are administered separately from the Title III area agency funds by the Aging Services Bureau, but the projects are managed locally either through the county council on aging or the community action program agency (or human resource development council). These projects require ten percent minimum in local matching funds and services.

In 1974-75 county revenues for senior citizen funds totaled \$585,445 with \$324,000 coming from the permissive one-mill levy, \$127,485 from county general funds, and \$133,960 from revenue sharing.

Counties are involved at the state level also: currently four county commissioners serve on the Governor's Aging Services Advisory Council which was created to work with the Aging Services Bureau.

It is interesting to note that in a recent letter to the Governor's Advisory Council, the Area V Agency on Aging reported that their total revenue for administration and programs was \$251,104, of which \$44,092 came from the permissive local mill levy and \$61,085 from revenue sharing funds. They indicated that as one result of the expenditure of these funds in the six county area, 288 people were able to remain in their own homes who would otherwise have had to be hospitalized or institutionalized at a probable cost to themselves and/or to the public of \$1,782,750.

## COUNTY DEVELOPMENT COUNCILS

Although at one time the Secretary of Agriculture apparently intended a Rural Area Development Committee to be organized by each county agent, this plan was never fully implemented. However, in some counties a similar group has been established, the county development council, sponsored by the Cooperative Extension Service. These councils are sometimes referred to as county RAD committees,\* which may be appropriate in terms of their origin and composition; however, there is no hierarchy of county-state RAD committees.

While the emphasis may change from county to county or from time to time within a county, the major role of a county development council seems to be to act as a "communications vehicle" to bring together the various groups, interests and organizations in the county which might be concerned with the development of community services and resources.

A county development council is a voluntary group. It writes its own constitution and by-laws, providing for an executive committee and for the creation of subcommittees. Each council specifies its own method for determining representation on the council and on the executive committee.

According to the Cooperative Extension Service, the following development councils currently exist:\*\*

- Big Horn Development Council
- Big Timber Development Organization (Sweet Grass County)
- Carbon County Development Council
- Dawson County Economic Development Association
- FORUM, Hill County
- Lake County Rural Area Development Committee
- McCone County Economic Development Council
- Phillips Economic Resource Council (PERC)
- Pondera Action Council (PAC)
- Tongue River Yellowstone Action Council (TRYAC)
- Rosebud and Treasure Counties
- Sheridan County Improvement Council
- Valley County Economic Development Council
- Wibaux County Economic Development Association

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\*Sometimes the county Committees for Rural Development (CRD's) are also referred to as County RAD committees. Both structures originated with U.S.D.A. and have some similar concerns, but the CRD's are comprised of government agency representatives whereas the RAD theory is to include all major interests and organizations.

\*\*This list is not necessarily all-inclusive nor does it include a variety of development associations or HUD funded community development groups.

Membership on the council is to reflect "major interests and organizations of the counties." Council members may be appointed by community groups or recommended by the executive committee. The by-laws of some counties stipulate that anyone in the county may become a member of the council by attending its meetings and, if required, paying dues.

Executive committee membership tends to be more specifically defined. The Carbon County Development Council constitution specifies that two men and one woman be elected from each county commissioner district. They annually appoint six or more additional people to the executive committee. The committee includes one dryland farmer, two irrigation farmers, one rancher, two business people, one banker, and two professional people in an effort "to obtain complete representation of industries indigenous to Carbon County."

The attempt to include everyone who might be interested in the concerns of the county is reflected particularly by the by-laws of the Sheridan County Planning and Improvement Council, which consists of any county resident who attends council meetings. The executive committee is to include "men and women; rural and townspeople; agricultural, business and professional people; and be representative of the various geographical areas of the county." Executive committee members appointed by organizations or by the executive committee itself serve two year terms. The executive committee also includes during their terms the chairman of the board of county commissioners, resident legislators, and council members who have been elected to serve on district or state councils.

Most councils meet annually and on call of the executive committee. The executive committee generally meets monthly or bimonthly.

Funding for the councils varies. Some councils collect a dollar a year dues. One was allocated \$100 by the county commissioners when it organized. The funds are used primarily for postage and printing.

Obviously, within general guidelines, each development council has its own particular structure and situation. Nevertheless the Valley County Planning and Development Council is particularly unique. Because of the impact on the surrounding community of the closure of Glasgow Air Force Base, Valley County was designated as a Title IV Redevelopment Area by the Economic Development Administration. The Valley County Planning and Development Council serves as the area OEDP committee in compliance with EDA guidelines and has produced an Overall Economic Development Program similar to what is required of an economic development district. The Council receives an administrative grant from EDA. Funding consists of 75 percent EDA money with a 25 percent local match in services, space, equipment and local dollars. According to its director, the role of the council has been in "coordinating, motivating, planning and development." The council was active in

the formation of EDAEM\* to which the director and one county commissioner are county representatives. The general membership of the Valley Development Council is referred to as the Board of Advisors. The Board assists and advises the twenty-one member Executive Committee, which includes the three county commissioners and the mayor or a city council representative of Glasgow. The Executive Committee elects four officers and seven other people, including two minority persons, who serve with the immediate past president of the Council as a Steering Committee. The council meets quarterly, the executive committee monthly, and the steering committee semimonthly or on call of the president.

The primary concerns of the Valley County Council are the utilization of the Glasgow Air Force Base and the development of an agriculture-based economy through such techniques as improved irrigation, local processing, and expanded marketing possibilities.

In general, the development councils function primarily through subcommittees. Where action is needed a council will probably try to act through an existing organization, which assumes the major responsibility for a project but with the support and assistance of the council. If no organization exists to meet a deeply-felt need, a subcommittee may evolve into an entity in its own right, as was the case with the Pondera Action Council health committee which recognized a need for senior citizens housing and created Horizon Lodge, Inc. which has built and operated an 84-unit housing facility for senior citizens.

In the eastern part of the state a member of a county development may be among that county's three representatives to the Economic Development Association of Eastern Montana (EDAEM). In south central Montana the county development councils in the Beartooth Resource Conservation and Development District work closely with that organization.

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\*See Economic Development Association of Eastern Montana

## RURAL AREAS DEVELOPMENT COMMITTEE

As an attempt by President Eisenhower to encourage people's grassroots efforts, the Secretary of Agriculture in the late 1950's requested that a Rural Area Development Committee be established nationally and in each state and county. The director of the Cooperative Extension Service in each state was given the task of organizing the RAD Committee for the state and the county extension agents were to do the same for their counties.\* Montana's RAD Committee was organized in 1961, replacing an earlier State Rural Development Committee.

The State RAD Committee was to consist of a cross-section of people from throughout the state who had been active in rural development and/or were state leaders.

The following listing illustrates the diversity of the Montana RAD Committee. Among the members of the RAD Committee are representatives of the Montana Chamber of Commerce; the Montana Power Company; Rural Electrical Cooperatives; the Montana Petroleum Association; the Livestock Production Credit Association; the Farmer's Union; the Grange; IBM; ASCS; various state agencies; Montana Wildlife Federation; faculty members and administrators from the university system, community colleges, and vo-tech schools; MEA; ranchers; planners; bankers; Montana Stockholder's Association; RC&D's; Bureau of Reclamation; BIA; SCS and Soil Conservation Districts; state and U. S. Forest Service; Montana Association of County Commissioners; League of Cities and Towns; as well as a number of non-labeled individuals from throughout the state.

An advocate of RAD has suggested that one of its values is that when these people come together to formulate policy, they tend to come as capable individuals rather than as organizational representatives; to some extent, he feels, this spares everyone the restraint of wearing his "official hat" and encourages their focus on mutual concerns.

The State RAD Committee tries to "establish policies" and "provide incentives for rural area development."

The chief objective of the Montana State Rural Area Development Committee is to help develop the human and natural resources of the rural areas of the state to their fullest potential by developing processes among the people for continually solving their problems.

\*See County Development Councils

It is worth noting that in line with this objective, RAD played an important role in bringing the Kellogg Extension Education Program to Montana.

The full State RAD Committee meets annually, at which time members of the ten-person executive committee are elected for two-year terms. The executive committee elects its own officers; it meets bimonthly.

The executive committee establishes subcommittees as the need for them is demonstrated by people coming before the executive committee. People who are active on a subcommittee automatically become members of the State RAD Committee. There are currently thirteen RAD subcommittees encompassing the following areas of concern: crops, community development, forestry, livestock feeding, manpower development, range management, recreation, soil fertility, swine, water, weed, wildlife, and farm safety.



## DISTRICT COUNCILS

In 1971 by Executive Order 2-71 the Governor designated twelve multi-county districts, each of which includes from three to six of the state's fifty-six counties. (See map on following page.) Through executive guidelines, the state has formulated a procedure for the organization and recognition of District Councils. However, the "intent is that the organization of District Councils be the result local initiative."\* The purpose of the Councils is "to facilitate the voluntary cooperative activities of local governments" for "solving common problems and addressing issues of common concern."

As of January 1976 there are four District Councils in operation:

<u>Council</u>	Counties
High Plains Council for District One	Phillips, Valley, Daniels, Sheridan, Roosevelt
Bear Paw Development Corporation (District 4)	Liberty, Hill, Blaine
Central Montana District Six Council	Judith Basin, Fergus, Petroleum, Wheatland, Musselshell, Golden Valley
Five Valleys Council of Governments (District 11)	Mineral, Missoula, Ravalli

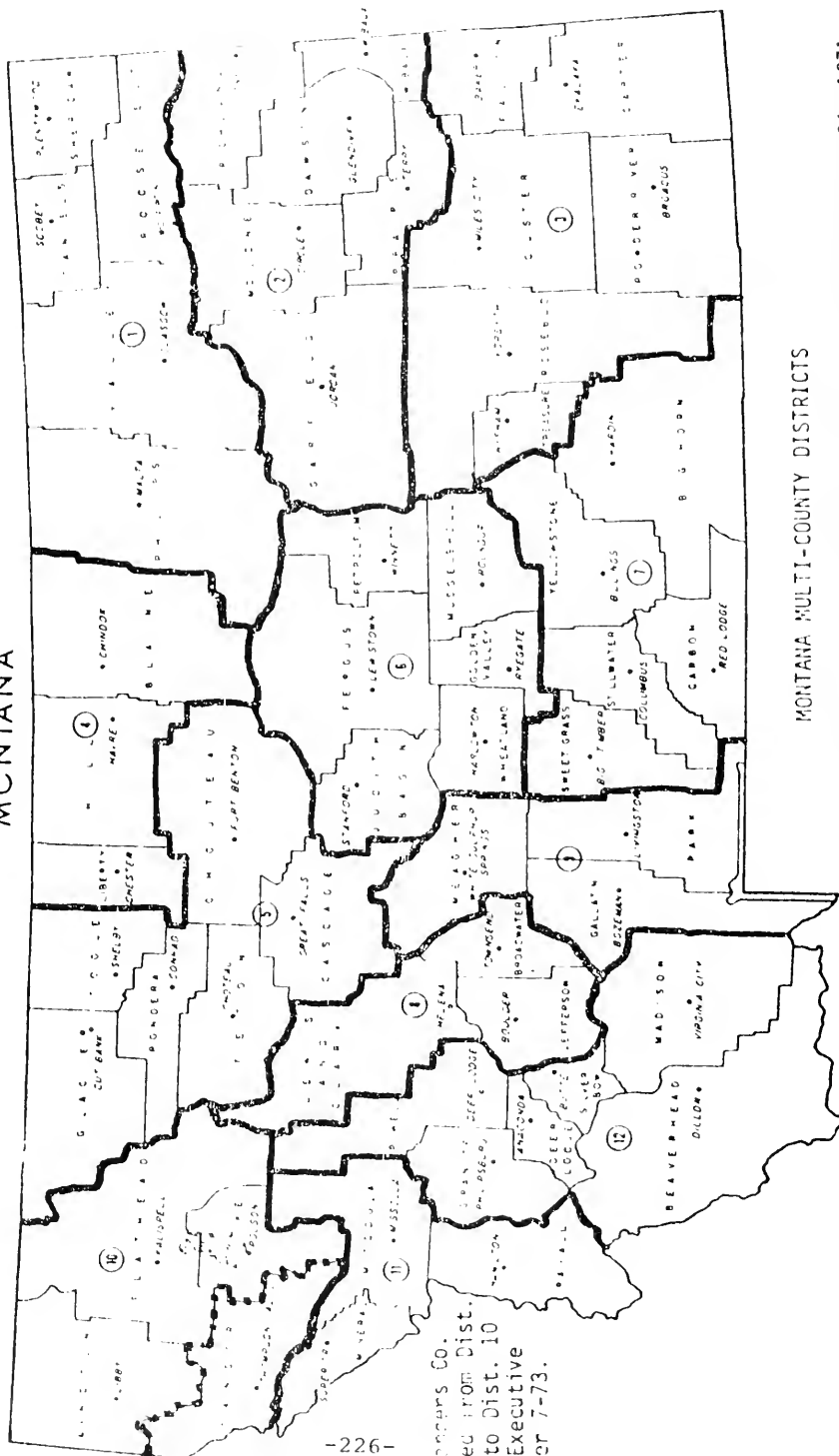
According to the July, 1975 executive Guidelines for State Designation of District Councils:

Membership on each Council must be open to all general purpose units of local government in the multi-county district. All county governments in the district must be represented on the Council and municipalities are encouraged but not required to participate.

Representation and Voting: At least two-thirds of the voting representatives on the District Council must be chief executive officers of a unit of general local government within the area. (Chief executive officers may name alternates to serve for them on the council. Eligible alternates include county commissioners or county managers as alternates for county commission chairmen and city councilmen or city managers as alternates for mayors. One representative may represent more than one municipality, particularly in the case of the smaller municipalities, if this representative is jointly selected by the city or town councils so represented.)

Citizen Participation: The balance of the voting representatives on the District Council should be selected by the elected official representatives and should represent major areawide citizen interest. An individual is not to be disqualified because of being an elected official.

# MONTANA



## MONTANA MULTI-COUNTY DISTRICTS

Established by Executive Order 2-71, dated August 24, 1971  
Amended by Executive Order 7-73, dated October 29, 1973

Shoshone Co.  
over from Dist.  
to Dist. 10  
by Executive  
Order 7-73.

The Executive Guidelines project that District Councils are to be created through the Montana Interlocal Cooperation Act (16-4901 through 16-4904, R.C.M. 1947). The Bear Paw Development Corporation, however, already met Guideline requirements in its existing structure as the non-profit corporation of an Economic Development District. The Internal Agreement for District Eleven is even more inclusive than state guidelines. It specifies that each county must be represented by each of the three commissioners or their designated representatives and that each incorporated city or town must be represented by a mayor, councilman or designated representative.

Councils may use whatever public or private funds are made available to them. The guidelines specify that "any state funds which may be appropriated for general purpose multi-county planning in the District will be administered by the designated District Council."

In Districts One and Six each Council receives a grant of \$50,000 from the Old West Regional Commission for operating expenses. The Councils of Districts Four and Eleven are currently applying for Old West Regional funds.

As an Economic Development District the Bearpaw Development Corporation (District Four) is also eligible for funds from the Economic Development Administration. District One is using its funds to coordinate alcoholism and addictive disease projects and to assist local planning boards through employment of a circuit riding planner. District Six is using its money primarily for staffing. In District Six there is some overlap of membership between the District Council and the Human Resource Development Council; to a degree, the two councils share a single staff organization.

Guidelines specify that "any state funds which may be appropriated for general purpose multi-county planning in the District will be administered by the designated District Council." The Interlocal Agreement for the District Eleven Council of Governments authorizes the prorating of the local share of the budget on the basis of the population of each county as a percentage of the population of the District. The Council of District Eleven is concerned with transportation and economic development, with coordinating existing programs, establishing cooperative purchasing agreements, and developing a centralized accounting system.

ECONOMIC DEVELOPMENT ASSOCIATION OF  
EASTERN MONTANA (EDAEM)

A voluntary non-profit corporation, the Economic Development Association of Eastern Montana (EDAEM) was organized in 1970 through the efforts of area and community leaders and with the assistance of the Cooperative Extension Agency. EDAEM exists to "do whatever a larger group can do better" in dealing with the "problems and opportunities" of the eighteen sparsely populated eastern Montana counties.

EDAEM includes multi-county districts 1, 2, and 3 and Petroleum County.

- District 1 - Phillips, Valley, Daniels, Sheridan,  
Roosevelt
- District 2 - Garfield, McCone, Richland, Dawson,  
Prairie, Wibaux
- District 3 - Treasure, Rosebud, Custer, Fallon,  
Powder River, Carter

Each county is represented on EDAEM by three delegates who are selected in whatever way the county chooses. They may be appointed by the county commissioners, who themselves sometimes serve as delegates to EDAEM. Members of County Development Councils may represent their counties on EDAEM. Sometimes delegates are selected by the Soil Conservation Service, a local Chamber of Commerce, or they may be recruited by other members of EDAEM.

The membership of EDAEM elects a board of five persons; they elect four officers. The president of the board appoints one additional person from each of the three-multi county districts. (This structure may change soon as a result of a current review of by-laws.)

Committees are created or dissolved according to need. Currently there are committees on rangeland; coal and water; leadership, education and development; Fort Peck access roads; legislation; and economic development and transportation.

The staff of EDAEM includes a Soil Conservation Service person, two health planners and a research associate, and two Cooperative Extension Service people.

In addition to the Staff persons funded by various agencies, EDAEM receives a contribution of five cents per person from each county.

According to one of its recent brochures, EDAEM considers its tasks to be community development and areawide health planning.

(EDAEM's) purpose is to: (a) provide leadership required for developing and carrying out plans for the orderly development, improvement, conservation, and efficient use of all available resources and take necessary action to insure improvement of the economic opportunities for the people in

eastern Montana, (b) to secure federal, state, local governmental, private individual and business assistance, and (c) promote mutual cooperation between local, state, federal, and private agencies and individuals.

EDAEM did function as the designated Comprehensive Health Planning Agency for Eastern Montana, a role which it lost when the State entered into the single agency concept. The Association works closely with Action for Eastern Montana, the Human Resources Development Council which serves the same multi-county districts.

In working with local governments the role of EDAEM varies from developing motivation, to directing people to appropriate sources of information, to assistance in getting planning and funding provisions through the legislature. Many of EDAEM's lobbying efforts focus on transportation and freight rates.

EDAEM's activities have included support for funding of research into the growth of safflower as an alternative cash crop in the northeastern part of the state. EDAEM has encouraged the development of irrigation projects in the area and initiated the development of a multi-purpose lake in Fallon County, a project which is nearing completion.

In the past EDAEM declared its opposition to the construction of Colstrip 3 and 4 and its support for shipping coal out of state by rail. This reflects a basic position of the group: EDAEM prefers community development which encourages a more stable economy but which is not unduly disruptive of eastern Montana.

## ECONOMIC DEVELOPMENT DISTRICTS (EDD's)

An Economic Development District is an area, usually multi-county, designated by the Assistant Secretary of Commerce as a mechanism for helping to solve "job and income problems in areas of high unemployment or low family income."\* In Montana there are three Economic Development Districts:

Big Horn Economic Development Corporation: Big Horn County and Reservation portions of Yellowstone and Rosebud Counties.

Bear Paw Development Corporation: Liberty, Hill and Blaine Counties.

Golden Triangle Area Development Corporation: Toole, Pondera, Teton and Cascade Counties.

The first Economic Development District in the state was the Inter-County Development Corporation of Southwestern Montana. The twelve-county District was inactive for several years and recently lost its official designation as an EDD.

The procedure for forming an EDD requires that there be at least two approved Redevelopment Areas in the proposed District. A designated Redevelopment Area has unemployment and low income problems and may be a city, a county, or an Indian reservation or lands. In addition to the two or more Redevelopment Areas, a proposed Economic Development District must contain a specified "growth center," a city or town with a population of not more than 250,000 which "has the development potential to provide jobs and services for the unemployed or under-employed of the Redevelopment Areas in the District."

Creation of a District also requires a local development organization "representative of the economic, political, civic, and social interests in the District." This group must include "local government leaders and persons from industry and labor, business and finance, agricultural interests and the professions, and the District's minority groups and unemployed."

The local development committee writes an Overall Economic Development Program (OEDP), which includes an analysis of the current local economy, "including its population, labor force, unemployment, job needs, available skills, resources, industrial and commercial buildings and sites, recreational and historical areas, and other assets." The committee also establishes goals and develops a strategy for implementing these goals, through local action and with the assistance of any available federal, state and private aid programs, including the Economic Development Administration.

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\*All otherwise unidentified quotations are from a brochure on Economic Development Districts published in 1974 by the Economic Development Administration of the U.S. Department of Commerce.

Although a District is not officially designated until its OEDP is approved by EDA, the provisional district can receive some funds from EDA. EDA may pay up to 75 percent of the administrative expenses of the proposed District, which include hiring a professional staff, planning and "related expenses required to put the District's program into action." When the District has been officially designated it becomes eligible for additional financial assistance.

A Redevelopment Area, such as Valley County, may receive grants for 50 to 80 percent of the project costs for public works; a District is eligible for an additional 10 percent, not to exceed a total of 80 percent. If the growth center in the District is not part of a Redevelopment Area, it also becomes eligible for EDA public work grants and loans and for business development loans "for projects that will directly improve employment opportunities for unemployed and underemployed residents of the District's Redevelopment Areas."

The OEDP for the Golden Triangle Area briefly described the four-county situation as follows:

The four counties are included in a Development District because of common economic factors and joint problems caused by cancellation of the Anti-Ballistic Missile project. The primary economic factor in each county is agriculture with grain and livestock furnishing the primary sources of income. Also common to the entire area is the wholesale, retail, medical and service center in Great Falls which serves the GOLDEN TRIANGLE for the majority of hard good purchases and for major medical care.

The board of directors of the non-profit Golden Triangle Area Development Corporation consists of 15 persons. Each of the four counties is represented by three people: one county commissioner, a mayor or council member chosen jointly by the governing bodies of the cities and towns in the county, and someone who is not a public official as chosen by the county's OEDP committee. These twelve people select three additional directors from among low income, minority and unemployed persons in the District.

Each of the counties in the district is a Redevelopment Area, and each has its own OEDP committee. All but Teton has also written its own OEDP.

Matters of concern to the Golden Triangle Development Corporation include agriculture; sales and services; medical services and facilities; manufacturing and processing; military support; tourism and recreation; legislation and laws; municipal utilities, services and housing.

About twenty-four counties in Montana and the seven Indian Reservations are currently eligible to receive EDA funds, including those Redevelopment Areas in the three Economic Development Districts. If an Area or District experiences sufficient improvement in its economic and employment situation, it may then lose its EDA designation.



## EMERGENCY MEDICAL SERVICE COUNCILS

Emergency Medical Service councils are currently being formed in many Montana communities. They are generally comprised of a wide range of people responsible for providing medical services of some sort; council members represent, for example, city and county officials, State and U. S. Forest Service, volunteer and city fire departments, search and rescue groups, ski patrols, ambulance services, hospital personnel, doctors and nurses, civil defense organizations, Red Cross and Heart Associations, and school systems.

Some counties have a full-time EMS director (Pondera, Teton, Big Horn); others designate someone as having a part-time EMS responsibility.

The function of the EMS council is to build an emergency medical services system. The council is to plan and evaluate, coordinate and monitor the system.

The State Emergency Medical Services Bureau is helping local EMS councils to organize. The councils are voluntary organizations. Of the 30 or more currently in operation, six are receiving Old West Regional funds to assist their initial efforts. The funds consist of grants of from \$600 to \$1,200 a year for two years and go to coal-impacted counties: Dawson, Big Horn, Yellowstone, Rosebud, Custer and Fallon. State seed money of \$500-\$1,000 per county is needed to help counties get their EMS councils underway.

Some counties make small financial contributions to the EMS councils; however, their chief contribution is in employees' time. Sometimes the civil defense director also functions as an EMS director.

The basic purpose of the EMS councils is to organize all emergency medical services to maximize their responsiveness and efficiency. One focus of the councils is the establishment of a centralized communications system which would be capable of responding to any request for emergency assistance, including, for instance, not only law enforcement, fire, and ambulance, but also utilities (downed power lines) and civil defense.

As the EMS councils begin to function, it becomes evident that they are having spin-off benefits. Through the EMS councils, local government officials and federal agency personnel are coming together to discuss mutual concerns. In some places the councils have expanded their purpose and have become a community forum concerned with mental health, alcoholism, or organizing rural fire districts.

## HUMAN RESOURCE DEVELOPMENT COUNCILS (HRDC'S)

Through the impetus of the Human Resources Division of the Department of Community Affairs, Human Resource Development Councils are being formed in each of the state's twelve multi-county districts. Most of the councils have evolved from existing local Community Action Programs (CAP's). Like the Community Action Programs, HRDC's are usually private, non-profit corporations whose purpose is to assist elderly and low-income people.

Where necessary, the geographic scope of the Community Action Agency has been expanded so that each HRDC will serve one of the state's twelve multi-county districts.

<u>Name of HRDC Organization</u>	<u>Corresponding Multi-County District</u>
*Action for Eastern Montana (AEM)	1,2,3
*Hill County Community Action Agency, Inc.	4
*Opportunities, Inc.	5
Central Montana District Council, currently being organized	6
*CAP of Billings and Yellowstone County	7
*Rocky Mountain Development Council	8
Bozeman Project	9
(not yet organized)	10
*Missoula-Mineral Human Resources	11
*Butte-Silverbow Anti-Poverty Council	12

Representation on the board of directors of an HRDC must comply with a set formula, although the total number of members may vary from district to district. Each HRDC board of directors must be comprised of 1/3 public officials, 1/3 low-income people and 1/3 community representatives from the private sector.

How board members are chosen varies from district to district and according to which segment of the community they are to represent, for example:

- 1) On one HRDC "public officials" means representatives from a variety of state and local agencies, including school districts and district judges; on another HRDC virtually all the "public officials" are county commissioners.

\*Formerly Community Action Agencies

2) "Low-income representatives" may be selected by the membership of local, recognized low-income organizations or on the basis of a petition signed by low-income people; the council may designate or the county commissioners may appoint the petitioner as a low-income representative.

3) "Private sector" members may be individually selected by the specific community organizations which have expressed a desire to be represented on the Council; approval of the remaining Council members may or may not be required.

The flexibility of HRDC structure also manifests itself in the general organization of each group. For example, Action for Eastern Montana (AEM) is a consortium of three multi-county HRDC's, each of which selects two members in accordance with the 1/3-1/3-1/3 formula to serve on the multi-district AEM Council. By working together through AEM, the sparsely populated eastern Montana counties are able to speak from a larger population base and to provide the option of a single administrative unit where that is appropriate to a program. Although the administration of a program may be on a 17 county basis, the operation of each project is carried on locally.

Through an interlocal agreement, the Rocky Mountain Development Council has become a public agency. In addition to its 24 member administrative board, which adheres to the 1/3-1/3-1/3 principle, RMDC has a governing board comprised of one county commissioner from each of the three counties in the district. The commissioners are also members of the administrative board. The governing board may approve, disapprove or alter decisions of the administrative board.

On the Central Montana HRDC, which is currently being organized, the 1/3 public officials and 1/3 private sector representatives on the HRDC will be comprised of people who serve on the Council of Multi-County District 6. The assistant coordinator of the District Council will serve as staff person for the HRDC. The District Council is hiring seven people in various communities through the Program in Local Services; they are to perform a community outreach function for the HRDC. The HRDC will serve in an advisory capacity to the District Council.

HRDC's were created to serve as advocates for elderly and low-income people. Initially the CAP's dealt primarily with programs that were promoted and funded by the federal government, such as some of the Aging Services programs. Increasingly, some of the CAP-HRDC's have initiated programs in response to locally-felt needs, for example the alcoholism program in eastern Montana.

In developing and implementing their own programs, HRDC's are involved in needs assessments, planning and evaluation. Recognizing that another agency's lack of resources may have prevented it from adequately providing a service, an HRDC may assist that agency, such as a board of county commissioners, by sharing data or performing a needs assessment for it or by helping it to write a grant proposal.

The HRDC's have a major role as grantsmen; they may apply for any private, local, state or federal funds that are available to plan and/or implement HRDC programs. Some federal funds come from block grants channeled through and distributed by the Department of Community Affairs; some funding comes from individual line-agency grants. Local funding sources may include city and/or county tax money, in-kind services, United Way Funds, or income from HRDC projects. The availability of local funding sources varies, of course, from district to district.

Although an HRDC may administer and operate its own programs, it may prefer, occasionally or as a matter of policy, to contract with other agencies to implement its programs. Among the programs administered, operated and/or funded through HRDC's are the following: Project Head Start; Home Start Program, Concentrated Employment Program; Housing Assistance Office; College Work Study; Joint Action in Community Services; Family Planning Services; Youth Programs: Neighborhood Youth Corps (Summer Youth Program, In-School Program) and Youth Conservation Corps; Community Development Program; Program for Local Service; Senior Citizen Programs: Foster Grandparent Programs, Senior Citizens Centers, Retired Senior Volunteer Programs, Daily Diner Clubs.

In addition to programs operated by an HRDC, there are others which may have started under a CAP-HRDC but have since become essentially autonomous, although they may receive some grant money through the HRDC and may work closely with it, such as, Indian Alliances, Child Care Coordinating Council, Friendship Centers. It is the philosophy of at least one HRDC, Action for Eastern Montana, that when and if the county takes over the bulk of the financing, it ought to take over the administration of the program also. The intent is to stabilize in a local government, rather than in a potentially impermanent state or federal agency, those programs which have gained local financial support because they are especially recognized as meeting important local needs.

REGIONAL ADVISORY COUNCILS FOR SERVICES  
AND FACILITIES FOR THE DEVELOPMENTALLY DISABLED

The five Regional Advisory Councils for Services and Facilities for the Developmentally Disabled are citizens' organizations mandated in 1975 by Title 71, section 2407 of the Revised Codes of Montana, 1947. The Councils are established under guidelines and procedures adopted by the department of social and rehabilitative services with their approval. They are part of a legislatively mandated effort to develop a "comprehensive developmental disability system" which will provide alternatives to institutionalization through community based services.

The regional DD councils represent the same multi-county areas as the state's designated administrative areas:

<u>REGION</u>	<u>COUNTIES</u>
I	Phillips, Valley, Daniels, Sheridan, Roosevelt, Garfield, McCone, Richland, Dawson, Prairie, Wibaux, Treasure, Rosebud, Custer, Fallon, Powder River, and Carter counties;
II	Glacier, Toole, Liberty, Hill, Blaine, Pondera, Teton, Chouteau, and Cascade counties;
III	Judith Basin, Fergus, Petroleum, Wheatland, Golden Valley, Musselshell, Sweet Grass, Stillwater, Yellowstone, Big Horn, and Carbon counties;
IV	Powell, Lewis and Clark, Granite, Deer Lodge, Silver Bow, Jefferson, Broadwater, Meagher, Beaverhead, Madison, Gallatin, and Park counties;
V	Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, and Ravalli counties

Each council is to be "broadly representative of the region and at least one third (1/3) of its members shall be consumers or representatives of consumers or consumer organizations in the discipline of developmental disabilities." Membership on the Councils ranges from fourteen to the allowable maximum of twenty. Because each Council writes its own by-laws within state guidelines, the pattern varies: in Region II, two people are selected from each county, except four from Cascade; in Region IV a county may have from one to four representatives on the Council, depending on county population.

Many of the initial Council members were selected from and by interested persons through a series of public meetings. Subsequent appointments apparently will come from the current Council.

The overlapping terms range from one to three years. Some Councils have an Executive Committee composed of the officers and two or three members; another entire Council designates itself as the Executive Committee.

Region IV requires the Council members to organize local County Developmentally Disabled Committees in each county, made up of "any interested persons, with special emphasis on those directly or indirectly involved with the developmentally disabled."

The Councils may also create standing and special committees of their members.

Each region has from one to three staff persons funded through the Developmentally Disabled Bureau of the Department of Social and Rehabilitative Services. Regional members who are not full-time state or county employees are entitled to reimbursement for actual and necessary expenses and travel expenses while engaged in the business of the board. The governing bodies of cities, towns and counties may contribute up to one mill either from the general fund or from a special levy for any developmental disabilities facility approved by the department, whether or not it is within their jurisdiction.

The legally prescribed duties of the regional Councils specify that each Council shall:

- (a) make an annual review and evaluation of needs and services within the region;
- (b) advise the department, other state agencies, councils, local governments, and private organizations on programs for services to developmentally disabled within the region; and
- (c) develop a plan for a system of community based services for the developmentally disabled within the region.

In accordance with these objectives, each of the Councils has prepared a plan for community based services in its region.

## REGIONAL MENTAL HEALTH BOARDS

Montana law requires the establishment of mental health regions and regional non-profit corporations which may contract with the department of institutions to carry out its comprehensive plan for mental health. (See Title 80, Section 2805, R.C.M. 1947.)

The five mental health regions correspond to the governor's five administrative areas:

Region I Miles City	Eastern Montana Regional Mental Health Board
Region II Great Falls	North Central Montana Regional Mental Health Board
Region III Billings	South Central Montana Regional Mental Health Board
Region IV Butte	Southwest Montana Regional Mental Health Board
Region V Missoula	Western Montana Regional Mental Health Board

The regional mental health corporation boards consist of one person appointed by the county commissioners of each included county for a two year term. Frequently, county commissioners choose to represent their counties on the board.

By law each mental health regional corporation board annually reviews and evaluates mental health needs and services for its own region. The board prepared and submits to the department of institutions and to each county plans and budget proposals for providing and supporting mental health services; recommends the proportionate level of financial participation of each county; receives and administers all revenues designated for mental health services; supervises the administrative staff responsible for mental health services; and maintains the records and reports required of the board. Board members are reimbursed their actual and necessary expenses.

Sources of revenue include federal, state, local funds and private donations. In particular, federal grants are available for initial staffing which require a ten percent local match by the state and county; later the required local match will increase to thirty percent. State law prohibits using state funds for more than fifty percent of the total expenditures of the regional mental health service programs. Each regional board with the approval of the department of institutions must establish a

schedule of fees for mental health services. Counties which participate may take their proportionate share of the regional board's budget from the county's general fund or, if necessary, they may levy up to one mill on all taxable property in the county. Fourteen Montana counties do not participate financially or with representation on any regional board.

In addition to the mandatory regional mental health governing boards, some counties have local mental health advisory committees, sometimes in conjunction with the county health board. At the state level there is a Mental Health Advisory Council.



RESOURCE CONSERVATION AND  
DEVELOPMENT DISTRICTS (RC&D's)

At the request of local citizens, usually soil and water conservation district supervisors and local government officials, the U.S. Department of Agriculture, with the approval of the governor of the state, may designate a multi-county area as a Resource Conservation and Development District. The purpose of an RC&D is to help local people help themselves "to improve their economy and environment through the conservation, development, and better utilization of their natural resources." That the RC&D's are also concerned with human resources is evident from the kind and variety of projects they undertake.

According to policy set forth by the U. S. Secretary of Agriculture, the area of an RC&D should coincide with one of the Governor's twelve multi-county districts. However, of the three RC&D's in Montana only the Bitterroot RC&D actually corresponds with a multi-county district. Nevertheless, concern for compliance with the sub-state districting plan has been a factor in considerations about expanding existing RC&D's or creating new ones. The three RC&D's in Montana currently encompass the following counties:

<u>Name of RC&amp;D</u>	<u>Included Counties</u>
Bitterroot RC&D	Mineral, Missoula, Ravalli
Beartooth RC&D	Stillwater, Carbon
Headwaters RC&D	Powell, Granite, Deer Lodge, Silver Bow, Jefferson, Beaverhead, Madison

The Soil Conservation Service of the U. S. Department of Agriculture pays the salary of the RC&D office staff, but an RC&D is nonetheless a local organization which sets its own direction and priorities.

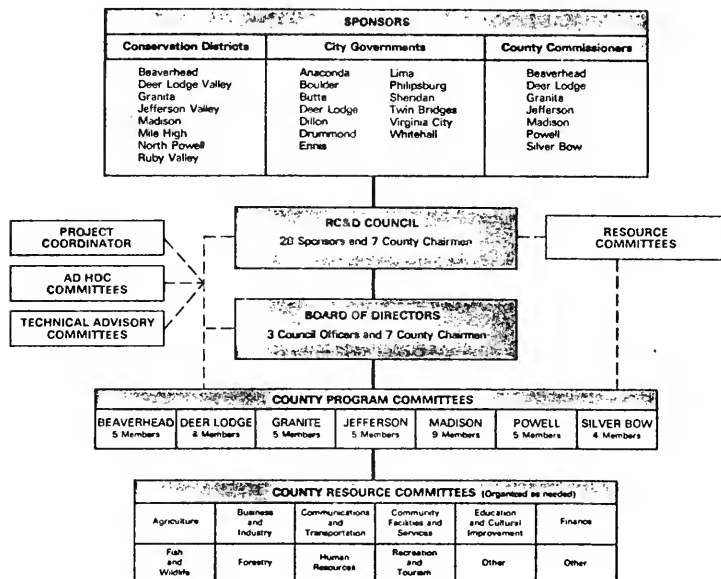
The constitution and by-laws of the RC&D are drawn up by people active in the district. The largest and newest of the RC&D's is the Headwaters. Its Council includes 28 sponsors: one person from each conservation district (8), a county commissioner from each county (7), and a representative from each of the 13 incorporated towns. The town representative may be the mayor or someone designated by the mayor or town council.

Each county in the district has an RC&D program committee comprised of a conservation district supervisor, a county commissioner, a mayor or appointee from each involved incorporated town, and a member of the county planning board. They elect a chairperson who need not represent any of these groups.

The seven county chairpersons along with the 28 sponsors constitute the RC&D Council.

Each county according to its needs, organizes several standing resource committees. In addition, the county may form special ad hoc committees and technical advisory committees.

# HEADWATERS RESOURCE CONSERVATION AND DEVELOPMENT DISTRICT ORGANIZATION CHART \*



With the assistance of local people, each of the RC&D's has published a Project Plan, which describes the RC&D and outlines its current proposals. Utilizing a series of maps, tables and narratives, the project plans discuss the natural, human, and community resources of the RC&D.

The policies and proposals of the RC&D's encompass the following areas, many of which are also concerns of local governments: agriculture, including farm irrigation and multiple water use, soil surveys, conservation resource planning, noxious weed control; land ownership and land use; community facilities and services, including sewer and water, health and social services, and rural rental housing; education and cultural improvement; business and industry; recreation and tourism; fish and wildlife; forestry; human resources; communications and transportation.

\*Reprinted from the Headwaters RC&D Project Plan

Initiative for a specific RC&D project must come from local individuals, groups or communities. In order to be considered by the RC&D Council, a project must have a greater-than-individual impact. After a county planning committee accepts a project proposal at its monthly meeting, the proposal is submitted to the RC&D Council for approval at its quarterly meeting. If the Council considers a proposal to have merit, it tries to assist in whatever ways it can, such as, finding and arranging for resource people, supplying technical assistance, writing supportive letters to funding sources. An RC&D supported project carries with it an official sanction which presumably improves its probability of being funded. An RC&D may apply for costsharing funds for some of its programs. About one-third of the proposals currently before the Headwaters RC&D qualify for costsharing funds.

Much of the focus of the Bitterroot Valley RC&D has been on irrigation. One of its projects, for example, has been to help several landowners convert from an inefficient surface irrigation system to a sprinkler irrigation system which puts more land into production and avoids problems with wet spots and serious soil erosion. The Bitterroot RC&D has also helped the development of several small industries in the valley.

The Beartooth RC&D, recognizing the agricultural base of the district, reflects primary concern with crop, pasture and rangeland conditions and use; water supply and use, including flood control, irrigation and pollution; woodland and mineral resources and markets; and wildlife and recreation resources and access. The Beartooth RC&D has identified problems in human, cultural, and economic resources that must be familiar to most local government officials in rural Montana: shortage of hospital and medical services; lack of community centers, libraries, parks and other recreational and communicational facilities; numerous small schools; inadequate water and sewerage facilities; lack of solid waste disposal facilities; and, inevitably, shortage of public funds.

However, with the RC&D's, as with other development groups such as EDAEM and the Economic Development Districts, the catch-phrase is "problems and opportunities." And, like them, the purpose of an RC&D is to facilitate communities' working together through local initiative and inter-agency action.

## STATE COOPERATIVE GRAZING DISTRICTS

Montana's Grass Conservation Act was passed in response to the federal Taylor Grazing Act "to provide for the conservation, protection, restoration, and proper utilization of grass, forage and range resources in ... Montana." (Title 46, Chapter 26, Revised Codes of Montana, 1947) The act provides for the incorporation of cooperative nonprofit grazing districts and the administration of grazing lands where ownership is diverse and intermingled. The department of natural resources and conservation is charged with carrying out the act, with acting in an advisory capacity to the department of state lands and boards of county commissioners, and with supervising and coordinating the formation and operation of grazing districts.

A grazing district may be created and incorporated if, after a duly announced public hearing, it appears to the board of natural resources and conservation that "the creation of the state district appears feasible, beneficial and desirable to those who own or control more than fifty per cent (50%) of the lands to be included in the district." (Title 46, Section 2309, Revised Codes of Montana, 1947) Procedures are specified for annexation, merger, or subdivision of district territory and for dissolution of a district.

Each district is administered by an elected board of directors in compliance with its articles of incorporation and the State Grass Conservation Act. Districts have from three to eight directors; there are thirty-five districts in the State. They have formed the Montana Association of Grazing Districts, which shares an office and personnel with the Montana Association of Conservation Districts.

Membership in a Grazing District "is limited to persons or their agents engaged in the livestock business who own or lease forage producing lands within or near the district..." (Title 46, Section 2314, Revised Codes of Montana, 1947)

District financing includes both assessments and fees. Each district has the power to

fix and determine the amount of grazing fees to be imposed on members or nonmembers for the purpose of paying leases and operating expenses and fix and determine the amount of assessments to be made on members on an animal unit basis for the purpose of constructing improvements in the state district. (46-2312(6), Revised Codes of Montana, 1947)

The district may set up and maintain a reserve fund, borrow money and mortgage its physical assets to provide for operation and development (Section 46-2312(9) and (10), Revised Codes of Montana, 1947). A membership fee of five dollars is charged for each member of the Grazing Districts.

The Bureau of Land Management sets the fees payable for the use of grazing lands under its jurisdiction. Montana counties receive 12 per cent of grazing fee revenues collected by the Bureau of Land Management under Section 3 of the Taylor Grazing Act of 1934 and 50 per cent of grazing fee revenues collected by Bureau of Land Management under Section 10 of the Act. These revenues are apportioned 50 per cent for the common school fund of the county and 50 per cent for the county general fund. According to the January 1976 newsletter of the Montana Association of Counties, this amounted to \$140,978 for the first six months of 1975.

With regard to the State Cooperative Grazing Districts, the statutorily specified duties of the counties include collection of grazing district assessments, filing of a map or plat of the external boundaries of the district and any changes, filing of articles of incorporation and notice of dissolution, and enforcing provisions and penalties concerning livestock running at large in the district: this includes the establishment of a state grazing district fund with any proceeds in excess of costs from the sale of straying animals. If the money from a sale is not claimed by the owner of the livestock within a year after the sale, the money is transferred to the county general fund.

The Grass Conservation Act also specifies that the Department of Natural Resources and Conservation:

may act in an advisory capacity to the department of state lands and boards of county commissioners for the purpose of working out uniform plans for the use of lands lying within or without the boundaries of state districts, in conformity with recognized conservation and stabilization policies. (Title 46, Section 2317, R.C.M., 1947)

The department of natural resources and conservation imposes on the district fees of up to ten cents per animal unit per year to defray expenses incurred by the department.

The statutory powers of the grazing districts include the authority to purchase or market livestock and livestock products, and supplies and equipment; acquire or dispose of forage producing lands by lease, purchase or cooperative agreements; manage and control the use of its range; acquire or construct fences, reservoirs, or other facilities for the care of livestock and acquire lands for such purposes; employ whatever persons are necessary to manage the district. (Title 43, Section 2312, R.C.M., 1947)

The Districts also engage in or support educational activities related to range management and good conservation practices.

## WATER QUALITY MANAGEMENT PLANNING DISTRICTS

There are four areawide water quality management planning districts in the state, each of which has received a grant from the Environmental Protection Agency under Section 208 of the Federal Water Pollution Control Act amendments of 1972. Under the direction of EPA, each district is to undertake a two year local planning effort directed at achieving and maintaining water clean enough to swim in. The governor designated each water quality planning district on the basis of its being an area "where urban-industrial concentrations, rapid growth associated with resource development, recreational pressure or other factors are expected to produce substantial water quality control problems."\*

The four planning district organizations in Montana include all or parts of the following counties:

<u>District</u>	<u>Amount of Grant</u>
Middle Yellowstone Areawide Planning Organization: Big Horn, Carbon, Stillwater, Sweet Grass and Yellowstone Counties	735,000**
Yellowstone Tongue Areawide Planning Organization: Carter, Custer, Fallon, Powder River, Rosebud and Treasure counties	540,000
Flathead Drainage 208 Project: Flathead and Lake counties	495,000
Blue Ribbon Areawide Planning Organization: Gallatin and Madison counties	475,000

The total of EPA 208 money coming to Montana is \$2,245,000.

The board of directors of each planning district organization consists of one county commissioner or designee from each county, one mayor or designee from each participating municipality, and one representative from any included Indian reservation. The boards are formed by agreement of the entities involved.

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\*Environmental Protection Agency's Region VIII Office of Public Affairs. EPA-LOG, (Denver, Colorado, May-June 1975) p. 4. Subsequent quotations are from the same source.

\*\*In practice \$535,000 goes to the Mid Yellowstone Organization and \$200,000 to the Crow Indian Reservation, which is essentially developing its own plan.

Internal organization varies from district to district. The Mid-Yellowstone Organization has a thirteen member board of directors: the president, the vice president, secretary and two other board members comprise the executive committee which supervises the day to day work of the staff. The districts also have technical advisory committees comprised mainly of state and federal agency people with some members of the public. Organization staffs consist of a director-administrator; a water quality specialist allocated by the water quality bureau of the state department of health and environmental sciences but funded by EPA; probably a part-time public relations person who will, for one thing, assist with public meetings held by the organization; and possibly a planner, as well as a clerical person.

According to the EPA-LOG, a bimonthly EPA Region VIII newsletter, the water quality and waste water management planning organizations are to develop plans for their districts which will:

- inventory present and expected point sources of waste-water (such as municipal and industrial discharges from ditches, pipes, etc.);
- inventory present and expected non-point sources (such as feedlot runoff, city storm runoff, etc.);
- evaluate land use and environmental trends and problems associated with the production and treatment of waste-waters;
- identify treatment works necessary to meet anticipated municipal and industrial waste treatment needs of the area over a twenty-year period (updated annually);
- evaluate and eventually select best treatment systems for the area, considering economic, social and environmental impacts of the various alternatives;
- establish a regulatory and management program to insure the smooth construction, operation and maintenance of the selected systems.

The close interrelationships of water quality management, land use, air quality and solid waste management are taken into account and it is the intention of the EPA 208 program that it "coordinates water quality planning into a comprehensive environmental management approach for an area." The program operates on a consultant-oriented basis, utilizing a variety of specific expertise to provide components for the overall plan.

Each planning district was designated by the governor who in two years will certify the completed plans and will designate local management agencies to implement the plans.

Apart from the "related agencies" already discussed, there are some state-level boards, commissions, or councils specifically authorized by statute and directly related to local government through membership requirements, function, or finance:

<u>CITATION</u> <u>R.C.M., 1947</u>	<u>ADMINISTRATIVE, ADVISORY, OR QUASI-</u> <u>JUDICIAL BOARD, COMMISSION, OR COUNCIL</u>
82A-907	Board of Aeronautics
82A-904	Board of County Printing
82A-1207	Board of Crime Control
82A-110; 71-2406	Montana Advisory Council for Services and Facilities for the Developmentally Disabled
82A-1602.13	Board of Horse Racing
82A-509; 44-1	State Library Commission
16-5116	State Commission on Local Government
82A-607; 69-4812	Water Pollution Control Advisory Council
82A-612	Board of Water and Waste Water Generators

An entirely different category of groups related to local governments is in a sense an outgrowth of local government activities: local government officials or employees sometimes work through the League of Cities and Towns, the Montana Association of Counties (MACo), and professional organizations such as law enforcement officers associations, the County Clerk and Records Association, the Montana Association of Planners, the Rocky Mountain Association of Fairs, the State Weed Control Association, the Montana Association of Local Health Officers, and the Montana Environmental Health Association.



SPECIFICALLY AUTHORIZED  
BOARDS AND DISTRICTS  
IN EACH COUNTY

Only those boards and districts specifically authorized by state law were originally intended to be included on these lists. However, sometimes counties added other boards to their lists. Some of those boards have been included in parentheses, for illustrative purposes. These lists are inevitably very tentative, partly because of difficulty in obtaining thorough information and partly because they represent structure that is always changing.

When the lists were originally compiled most counties had Bicentennial Commissions, which were not specifically authorized by state law, and Local Government Study Commissions which were authorized, as part of the state-wide Voter Review Process required by the 1974 Legislature. Both of these Commissions have now terminated.

Two specifically authorized multi-county boards, described elsewhere in the Bulletin, do not appear on these county lists: the advisory library federation boards and the administrative regional mental health corporation boards. Similarly, four specifically authorized school-related boards are not included on the county lists. Each school district in the county elects a school board of trustees (the county acts as tax collector for each district, in addition to other functions provided by the county superintendent of schools and the county attorney). Each board of county commissioners also constitutes the board of school budget supervisors for that county, and county officials are among the members of the county transportation committee. If there is a community college district in the county, the county treasurer serves also as the district treasurer.

The county land advisory board does not appear on all county lists, although state law continues to mandate the board. The board was created in 1933 during the great Depression when counties became the recipients of unusual amounts of land as landowners failed to pay their taxes. The purpose of the board was to advise the county commissioners on the disposition of those lands. As the need has diminished, the boards seem to have gone out of existence. Most counties indicate they have no such board, a few are unsure about it.

A county may be involved with a variety of other boards not indicated by these lists, because the boards have no specific authorization in state law. The most common example would be the county and area councils on aging. Some of these boards are discussed in the section on "Related Agencies."

In Montana counties in 1976 there were approximately 2700 specifically authorized local government boards. This figure excludes "related agency" boards but includes school boards, independent special purpose districts, and those authorized boards clearly subordinate to county government.

#### BEAVERHEAD COUNTY

- Beaverhead County Airport Board
- Public Cemetery District Board of Trustees
- Beaverhead Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Fire Districts
  - Dillon Rural Fire District #2
  - Lima Rural Fire District
  - Wisdom Rural Fire District
- Health Officer and Nurse, but no board
- Hospital District Board of Trustees
- East Bench Irrigation District Commissioners
- County Land Advisory Board
- Museum Board of Trustees
- Board of Park Commissioners
- Planning and/or Zoning
  - Beaverhead and Dillon City-County Planning Board
  - County Zoning Board of Adjustment
- County Road Districts (three)
- Rural Improvement Districts
  - Wisdom Improvement District (lighting)
  - Wisdom Water and Sewer District
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

#### BIG HORN COUNTY

- Airports
  - Hardin Airport - owned by Big Horn County (no board)
- Public Cemetery District Board of Trustees
  - Big Horn County Cemetery District #1
  - Big Horn County Cemetery District #2
- Big Horn Conservation District Supervisors
- Drainage District Commissioners
  - Two Leggins Drainage District
  - Valley Center Drainage District
- County Disaster Committee
- Election Boards and County Board of Canvassers
- County Fair Board
- Board of Health

## BIG HORN COUNTY (Continued)

- County Hospital District Board of Trustees
- Irrigation District Commissioners
  - Big Horn Irrigation District
  - Lower Little Horn Irrigation District
  - Upper Little Horn Irrigation District
- Big Horn County Public Library Board
- Livestock
  - Herd District
- Mosquito Abatement District Board
- Planning and/or Zoning
  - Big Horn County Planning Board
  - Hardin City-County Planning Board
- County Road District (county-wide)
- Rural Improvement District
  - Wyola Water District
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

## BLAINE COUNTY

- Blaine County Airport Board
- Public Cemetery Districts Board of Trustees
  - Big Flat Cemetery District
  - Chinook Cemetery District
  - Harlem Cemetery District
- Blaine Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board or Commission
- Board of Health
- Irrigation District Commissioners
  - Alfalfa Valley Irrigation District
  - Fort Balknap Irrigation District
  - Harlem Irrigation District
  - Paradise Irrigation District
  - Zurich Irrigation District
- County Land Advisory Board
- Library Boards
  - Blaine County Library Board
- Mosquito Abatement District Board
- Museum Board of Trustees
- Planning and/or Zoning
  - City-County Planning Board
  - Zoning Board of Adjustment
- County Road Districts (three)
- Rural Improvement Districts
  - Turner lights
- Tax Appeal Board

## BLAINE COUNTY (Continued)

- Television District Trustees
  - Big Flat Television District
  - Chinook Television District
  - Harlem TV Club
  - Lodge Grass TV Association
  - Snake Creek TV Association
- Blaine County Water and Sewer District #1
- Weed Control and Extermination District Board
- Board of Public Welfare

## BROADWATER COUNTY

- City-County Airport Commission
- Broadwater Conservation District Supervisors
- Lower Deep Creek Drainage District Commissioners
- Election Boards and County Board of Canvassers
- County Fair Board
  - Junior Fair Board
- Fire Districts
  - Broadwater County Rural Fire District
  - Townsend Fire District
  - Three Forks Fire District
- Board of Health
- Irrigation District Commissioners
  - Toston-Crow Creek Irrigation District
  - Flynn Shelly Irrigation District, inactive since 1940
- County Library Board
- Townsend Mosquito Abatement District Board
- Museum Board of Trustees
- Refuse Disposal Districts Board of Directors
  - Refuse Disposal District (almost county-wide)
  - Multi-County Disposal District (Three Forks area)
- County Road Districts (three)
- Tax Appeal Board
- Townsend Television District Trustees
- Weed Control and Extermination District Board
- Board of Public Welfare

## CARBON COUNTY

- City-County Airport Board
- Public Cemetery Districts Board of Trustees
  - Belfry Cemetery District #4
  - Bridger Cemetery District #2
  - Joliet Cemetery District #3
  - Roberts Cemetery District #6
  - Rockvale Cemetery District #1
  - Roscoe Cemetery District #5
- Carbon Conservation District Supervisors

## CARBON COUNTY (Continued)

- Election Boards and County Board of Canvassers
- Fire Districts
  - Clark Fork District #2 (Belfry)
  - Edgar Rural Fire District #4 (Edgar)
  - Fromberg Fire District #3
  - Joliet Fire District #1
  - Roberts Rural Fire District #5
  - Roscoe Rural Fire District #6 (with Absarokee)
- County Fair Board
- Board of Health
- Danford Irrigation District Commissioners
- Carbon County Library Board
- Planning and/or Zoning
  - Carbon County Planning Board
  - Red Lodge City-County Planning Board
- County Road District (county-wide)
- Rural Improvement Districts
  - Belfry Rural Improvement District #2
  - Edgar Rural Improvement District #1
- Tax Appeal Board
- Water and Sewer Districts Directors
  - Belfry Water and Sewer District
  - Roberts Water and Sewer District
- Weed Control and Extermination District Board
- Board of Public Welfare

## CARTER COUNTY

- County Airport Board
- Box Elder Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- County Housing Authority
- Mosquito Abatement District Board
- Planning and/or Zoning
  - Board of Adjustment
- County Road Districts (three)
- County Tax Appeal Board
- Ekalaka Television District Trustees (Community TV Club)
- Weed Control and Extermination District Board
- Board of Public Welfare

## CASCADE COUNTY

- Air Pollution Control Board\*
- Sun River Public Cemetery District Board
- Cascade Conservation Districts Supervisors

## CASCADE COUNTY (Continued)

- Vaughn Small Drainage District Commissioners
- Election Boards and County Board of Canvassers
- County Fair Board of Commission
- Rural Fire Districts (14)
- City-County Board of Health\*
- Irrigation District Commissioners
  - Fort Shaw Irrigation District
  - Greenfield Irrigation District
- County Land Advisory Board
- Livestock
  - Herd Districts
- (Mental Health Board)
- Cascade County Mosquito Abatement District Board\*\*
- Board of Park Commissioners
- Planning and/or Zoning
  - Cascade County Planning Board
  - Great Falls City-County Planning Board
  - Zoning Board of Adjustment
- County Road District (county-wide)
- Refuse Disposal District Board of Directors\*
- Rural Improvement Districts
  - Six Lighting Districts
- Tax Appeal Board
- County Water and Sewer Districts
  - Gore Hill County Water District
  - Sun Prairie County Water District
- Weed Control and Extermination Board\*\*
- Board of Public Welfare

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\*Environmental Division. The same people have been appointed to each of these three boards so that they can function under current law yet act essentially as a single board.

\*\*Pesticides Division. The same people have been appointed to each of these two boards so that they can function under current law yet act essentially as a single board.

## CHOUTEAU COUNTY

- City-County Airport Board
- Public Cemetery Districts Board of Trustees
  - Big Sandy Cemetery District
  - Fort Benton Cemetery District
  - Geraldine Cemetery District
- Conservation District Supervisors
  - Big Sandy Conservation District
  - Chouteau County Conservation District

## CHOUTEAU COUNTY (Continued)

- Election Boards and County Board of Canvassers
- County Fair Board
- Geraldine Rural Fire District
- Board of Health
- Big Sandy Hospital District Board of Trustees
- County Library Board
- Livestock
  - Chouteau County Livestock Protection Association  
(livestock protective committee)
- Planning and/or Zoning
  - Fort Benton City-County Planning Board
- County Road Districts (three)
- Rural Improvement Districts
  - Carter Lighting
  - East Highwood Lighting
  - Highwood Water and Sewer
  - Loma Lighting
- Tax Appeal Board
- Television District Trustees
  - Big Sandy Television Club
  - Export TV Association
  - Fort Benton TV Club
  - Geraldine Community TV
  - Loma TV Club
- Board of Public Welfare

## CUSTER COUNTY

- City-County Airport Board
- Custer County Cemetery Board
- North Custer Conservation District Supervisors
- County Disaster Committee
- Election Boards and County Board of Canvassers
- Eastern Montana Fair Board
- Board of Health
- Irrigation Districts Commissioners
  - Buffalo Rapids Irrigation District #1
  - Kinsey Irrigation District
  - Tongue-Yellowstone River Irrigation District
- City-County Library Board
- Miles City Mosquito Abatement District Board
- Planning and/or Zoning
  - Miles City-County Planning Board
  - Zoning Board of Adjustment
- County Road District (county-wide)
- Rural Improvement Districts
- County Sewer District #1
- Tax Appeal Board
- Television District Trustees (Stacey TV Club)
- Weed Control and Extermination District Board
- Board of Public Welfare

## DANIELS COUNTY

- City-County Airport Commission
- Daniels County Conservation District Supervisors
- County Disaster Committee
- Election Boards and County Board of Canvassers
- County Fair Board
- Peerless Rural Fire District
- Board of Health
- Hospital District Board of Trustees
- Daniels County Housing Authority
- County Library Board
- Livestock
  - Daniels County (Livestock) Protective Association
  - Sheep Protective Areas, Predatory Animal Control
  - Herd Districts - 13
  - Horse Herd Districts - 2
- Planning and/or Zoning
  - Daniels County Planning Board
- County Road Districts (three)
- (Rodent Control Board)
- Rural Improvement Districts
  - Peerless Lighting
  - Whitetail Lighting
- Tax Appeal Board
- Television District Trustees
  - Klear-Vu TV District
  - Peerless-Richland TV District
- Weed Control and Extermination District Board
- Board of Public Welfare

## DAWSON COUNTY

- Airports
  - Dawson County Airport Board
  - Dawson Community Airport
- Public Cemetery District Board of Trustees
- Dawson County Conservation District Supervisors
- Drainage (and Irrigation) District Commissioners
  - Lower Yellowstone Drainage and Irrigation District
  - Buffalo Rapids Drainage and Irrigation District
  - (See also Intake Irrigation District)
- County Fair Board
- Election Boards and County Board of Canvassers
- Fire Districts
  - West Glendive Fire District
  - Lindsey Fire District
- City-County Health and Sanitation Board
- Hospital District Board of Trustees
- Intake Irrigation District Commissioners
- County Land Advisory Board
- City-County Public Library



DAWSON COUNTY (Continued)

- Local Improvement District Committee of Supervisors
- Museum Board of Trustees
- Planning and/or Zoning
  - Dawson County Planning Board
  - Zoning Board of Adjustment
- County Board of Park Commissioners
  - City-County Park and Recreation Board
  - Hollecker Lake Board
- County Road Districts (three)
- Rural Improvement Districts (35)
- Tax Appeal Board
- Richey Television District Trustees
- Highland Park Sewer and Irrigation District
- Weed Control and Extermination District Board
- Board of Public Welfare

DEER LODGE COUNTY

- City-County Airport Board
- Public Cemetery District Board of Trustees
- Deer Lodge Valley Conservation District Supervisors
- Tri-County Fair Board (Deer Lodge, Powell, and Granite Counties)
- Fire Districts
  - Joint Fire District
  - Opportunity Rural Fire District
  - West Valley Rural Fire District
- Board of Health
- City-County Library Boards
- County Land Advisory Board
- Museum Board of Trustees
- Board of Park Commissioners
- Planning and/or Zoning
  - Deer Lodge County Planning Board
  - Zoning Board of Adjustment
- Refuse Disposal District Board of Directors
- County Road Districts (three)
- Rural Improvement Districts
  - Opportunity Lighting District
  - #32 Sewer District
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

## FALLON COUNTY

- City-County Airport Board
- Public Cemetery District Board of Trustees
- Little Beaver Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Plevna Rural Fire District
- County Board of Health
- County Housing Authority
- County Library Board
- Museum Board
- Planning and/or Zoning
  - Fallon County Planning Board
  - Zoning Board of Adjustment
- County Road Districts (three)
- Television Districts
  - Baker TV Booster Club
  - Plevna TV Booster Club
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

## FERGUS COUNTY

- Lewistown City-County Airport Board
  - City-County Airport Zoning Commission
- Fergus County Conservation District Supervisors
- Central Montana Fair Board
- Elections Boards and County Board of Canvassers
- Fire Districts
  - Coffee Creek Rural Fire District
  - Denton Rural Fire District
  - Lewistown Rural Fire District
  - Roy Rural Fire District
- Central Montana Health District Board
  - (Fergus, Judith Basin, Golden Valley, Petroleum,  
Wheatland Counties)
- Planning and/or Zoning
  - Lewistown City-County Planning Board
  - Fergus County Planning Board
- County Road District (county-wide)
- Television District Trustees
  - Denton TV District
  - Grass Range TV District
  - Roy TV District
  - Winifred TV District
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

FLATHEAD COUNTY

- Airports
  - Flathead County Airport Board
  - Whitefish Airport
  - Flathead County Airport Commission
  - Glacier International Airport
- (Animal Control Board)
- Public Cemetery Districts Board of Trustees
  - Columbia Falls Cemetery District
  - Fairview Cemetery District
- (Civil Defense Clearing Board)
- Flathead Conservation District Supervisors
- (Local Economic Development Association Board)
- Election Boards and County Board of Canvassers
- County Fair Board
- Fire Districts
  - Bad Rock Rural Fire District
  - Creston Rural Fire District
  - Evergreen Rural Fire District
  - Evergreen Rural Fire District #2
  - Big Fork Rural Fire District
  - Columbia Falls Fire District
  - East Kalispell Rural Fire District
  - Ferndale Rural Fire District
  - Hungry Horse Rural Fire District
  - Olney Rural Fire District
  - Sommers Rural Fire District
  - Smith Valley Rural Fire District
  - South Kalispell Rural Fire District
  - West Valley Rural Fire District
  - Big Mountain Fire District
  - Martin City Fire District
  - Coram Fire District
- County Gambling Commission
- Board of Health
- (Insurance Board)
- Ashley Irrigation District Commissioners
- Flathead County Free Library Board
- (Mental Health Advisory Board)
- Mosquito Abatement District Board
  - Sommers Mosquito Abatement District
  - Kalispell Mosquito Abatement District
- Board of Park Commissioners
  - Hungry Horse Honorary Park Advisory Board
  - Martin City Park Advisory Board
  - Lakeside Park Advisory Board
- Planning and/or Zoning
  - Flathead County Planning Board
  - Columbia Falls City-County Planning Board
  - Kalispell City-County Planning Board
  - Whitefish City-County Planning Board
  - Zoning Board of Adjustment
- Flathead County Refuse Disposal District Board of Directors
- County Road District (county-wide)

- (Rodent Control Board)
- Rural Improvement Districts
  - Hungry Horse Lighting District
  - Bigfork Lighting District
  - Evergreen Estates Lighting District
  - Evergreen Water District #1
- Tax Appeal Board
- Television District Trustees
  - Blacktail TV District
  - Desert Mountain TV District
  - Swan Hill TV District
- Water and Sewer Districts
  - Bigfork Sewer District
  - Big Mountain Water District
  - Big Mountain-Whitefish Sewer District
  - Columbia Heights Water District
- Weed Control and Extermination District Board
- Board of Public Welfare

#### GALLATIN COUNTY

- Airports
  - Gallatin County Airport Board
  - Three Forks Airport
  - Gallatin Airport Authority
  - Gallatin Field
- Public Cemetery District Board of Trustees
  - Meadow View Cemetery District
  - Mount Green Public Cemetery District
- Gallatin Conservation District Supervisors
- Madison Dyke and Drainage District Commissioners
- Election Boards and County Board of Canvassers
- Fire Districts
  - Belgrade Rural Fire District
  - Gallatin Gateway Fire District
  - Manhattan Rural Fire District
  - Three Forks Rural Fire District
  - Sedan Rural Fire District
  - West Yellowstone Rural Fire District
  - Willow Creek Rural Fire District
- City-County Board of Health
- Planning and/or Zoning
  - Gallatin County Planning Board
  - Bozeman City-County Planning Board
  - Zoning Board of Adjustment
  - Zoning Districts:
    - Bozeman West Zoning #1
    - Bozeman Zoning #2
    - Bridger Canyon Zoning #2
- Board of Recreation
- County Refusal Disposal District #1 Board of Trustees
- County Road District (county-wide)

## GALLATIN COUNTY (Continued)

- Rural Improvement District
  - Churchill Lighting District
  - Logan Lighting District
  - Willow Creek Lighting District
  - Big Sky Sewer Maintenance District
  - Three Forks Drainage
  - Big Sky Sewer Maintenance
  - Willow Creek Sewage
  - Amsterdam Churchill Sewer
- Tax Appeal Board
- Television Districts
  - Trident Community Club
  - West Yellowstone TV District
- Weed Control and Extermination District Board
- Board of Public Welfare

## GARFIELD COUNTY

- Garfield County Airport Board
- Garfield County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Board of Health
- County Housing Authority
- County Land Advisory Board
- County Livestock Board
- Livestock
  - Livestock Protective Committee
- County Board of Park Commissioners
- Planning and/or Zoning
  - Garfield County Planning Board
  - Zoning Board of Adjustment
- County Road Districts (three)
- Tax Appeal Board
- Smokey Butte Television District Trustees
- Weed Control and Extermination District Board
- Board of Public Welfare

## GLACIER COUNTY

- Glacier County Airport Board
  - Browning Airport (owned by state; managed by county board)
  - Cut Bank City-County Airport
- Public Cemetery Districts Boards of Trustees
  - Crown Hill Cemetery District
  - West End Cemetery District
- Glacier Conservation District
- County Disaster Committee
- Election Boards and County Board of Canvassers
- Board of Health
- County Library Board

## GLACIER COUNTY (Continued)

- Livestock
  - Herd Districts
- Planning and/or Zoning
  - Browning City-County Planning Board
  - Cut Bank City-County Planning Board
  - Zoning Board of Adjustment
- County Road District (ccounty-wide)
- Glacier County Refuse Disposal District Directors
- Tax Appeal Board
- Browning Television District Trustees
- East Glacier County Water and Sewer District Directors
- Weed Control and Extermination District Board
- Board of Public Welfare

## GOLDEN VALLEY COUNTY

- County Airport Board
- Public Cemetery Districts Boards of Trustees
  - Golden Valley County Cemetery District #1
  - Golden Valley County Cemetery District #2
- Lower Musselshell Conservation District Supervisors
- Election Boards and County Board of Canvassers
- Fire Districts
  - Broadview Fire District
  - County Fire District
- Board of Health
  - Central Montana Health District #16 (Fergus, Petroleum, Wheatland, Golden Valley and Judith Basin Counties)
- County Land Advisory Board
- Planning and/or Zoning
  - Golden Valley County Planning Board
  - Zoning Board of Adjustment
- County Road Districts (two)
- Tax Appeal Board
- Television District Trustees
  - TV District #1
  - TV District #2
- Weed Control and Extermination District Board
- Department of Public Welfare (multi-county)

## GRANITE COUNTY

- County Airport Board
- Public Cemetery District Board of Trustees
  - Philipsburg Cemetery District
  - Valley Cemetery District
- (Civil Defense Board)
- Granite Conservation District Supervisors

## GRANITE COUNTY (Continued)

- Lower Willow Creek Drainage District Commissioners
- Election Boards and County Board of Canvassers
- (Emergency Medical Association)
- Tri-County Fair Board (Granite, Powell and Deer Lodge Counties)
- County Board of Health
- County Housing Authority
- County Planning Board
- County Road Districts (two)
- Tax Appeal Board
- Television District Trustees
  - Drummond TV District
  - Philipsburg TV District
- Weed Control and Extermination District Board
- Board of Public Welfare

## HILL COUNTY

- City-County Airport Board
- Public Cemetery District Board of Trustees
- (Civil Defense District)
- Hill County Conservation District Supervisors
- County Disaster Committee
- Election Boards and County Board of Canvassers
- County Fair Boards
- Fire Districts
  - Fire District "B" (Kremlin)
  - Fire District "C" (Gildford)
  - Fire District "F" (Inverness)
  - Fire District "E" (Rudyard)
  - Fire District "G" (Box Elder)
  - Rural Fire District #1
- Board of Health
- Herd Districts (15)
- County Land Advisory Board
- County Library Board
- (Mental Health Advisory Board)
- Museum Board
- County Board of Park Commissioners
- Planning and/or Zoning
  - Havre-Hill City-County Planning Board
  - Hill County Planning Board
  - Board of Adjustment
- Refuse Disposal District
- County Road District (county-wide)
- Rural Improvement District
  - Lighting Districts (8)
  - Sewer Districts (7)
  - Flood Control District (1)
- Tax Appeal Board
- Mount Royal Television District Trustees
- Hi-Line Water District
- Weed Control and Extermination District Board
- Board of Public Welfare

## JEFFERSON COUNTY

- City-County Airport Board
- Building and Maintenance (Building and Improvements Management Commission)
- Conservation District Supervisors
  - Jefferson Valley Conservation District
  - Madison Conservation District
- Election Boards and County Board of Canvassers
- Fire Districts
  - Boulder Valley Rural Fire District
  - Basin Rural Fire District
  - Jefferson Valley Rural Fire District
  - Jefferson River Fire District
- Board of Health
- Hospital Boards (2)
- Irrigation Districts
  - East Bench
  - South Boulder
- Jefferson County Library Board
- Livestock
  - Horse Herd District #1
- Jefferson County Mosquito Abatement District Board (three areas)
- Planning and/or Zoning
  - Jefferson County Planning Board
  - Whitehall City-County Planning Board
  - Board of Adjustment
- Refuse Disposal District Board of Directors
- County Road Districts (three)
- Rural Improvement Districts
  - Basin Lighting District
- Tax Appeal Board
- Boulder Television District Trustees
- Basin County Water and Sewer District
- Weed Control and Extermination District Board
- Board of Public Welfare

## JUDITH BASIN COUNTY

- County Airport Board
- (Civil Defense)
- Judith Basin Conservation District Supervisors
- Election Boards and County Board of Canvassers
- Fire Districts
  - Geyser Rural Fire District
  - Moccasin Rural Fire District
  - Windham Rural Fire District
  - Judith Basin Rural Fire District
  - Stanford Rural Fire District
  - Hobson Rural Fire District
- Central Montana Health District Board (Fergus, Wheatland, Golden Valley and Judith Basin Counties)



JUDITH BASIN COUNTY (Continued)

- Herd Districts (5)
- County Library Board
- Museum Board of Trustees
- Planning and/or Zoning
  - City-County Planning Board
  - Zoning Board of Adjustment
- (Predatory Animal Control)
- County Road Districts (three)
- Rural Improvement District
  - Special Improvement #2, Water and Sewer
  - Special Improvement #3, Lighting, Town of Geyser
  - Special Improvement #4, Lighting, Town of Moccasin
- Tax Appeal Board
- Television District Trustees (Stanford TV Association)
- Weed Control and Extermination District Board
- Board of Public Welfare

LAKE COUNTY

- City-County Airport Board
- Public Cemetery District Board of Trustees
  - Lake County Cemetery District #1
  - Lakeview Cemetery District
- Lake County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- Fire Districts
  - Charlo Rural Fire District
  - Mission Rural Fire District
  - Polson Rural Fire District
  - Jocko Rural Fire District
  - Ferndale Fire District
  - St. Ignatius Rural Fire District
  - Montecahto Rural Fire District
  - Moiese Fire District
  - Swan Lake Fire District
  - Big Fork Fire District
- City-County Health Board
- Irrigation District Commissioners
  - Mission Irrigation District
  - Flathead Irrigation District
  - Jocko Irrigation District
- County Land Advisory Board
- County Fair Board
- Planning and/or Zoning
  - Lake County Planning Board
  - Polson City-County Planning Board
  - Zoning Board of Adjustment

## LAKE COUNTY (Continued)

- Lake County Refuse Disposal District Board of Directors
- Rural Special Improvement Districts
  - Charlo Lighting District
  - Charlo Sewer District
  - Melleti Point Special Improvement District (roads)
  - Sheep Special Improvement District
  - Pablo #2 Water Improvement District
  - Pablo #3 Sewer Improvement District
- Television District Trustees
  - Swan Hill TV
  - Blackfeet TV
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

## LEWIS AND CLARK COUNTY

- Airports
  - Airport Authority
  - Airport Authority's Joint Airport Board
  - Joint Airport Zoning Board
  - Airport Zoning Commission
- Augusta Cemetery District Board of Trustees
- Lewis and Clark Conservation District
- Fair Board
- Fire Districts
  - West Helena Valley Fire District
  - East Helena Valley Fire District
  - Canyon Creek Fire District
  - Augusta Rural Fire Department
  - Kenwood Rural Fire District
  - Lincoln Rural Fire District
- City-County Health Board
- Horse Herd District
- Helena Valley Irrigation District Commissioners
- City-County Library Board
- Mosquito District
- County Parks and Recreation Board
- County Road Districts (four)
- Refuse Disposal District
  - Scratch Gravel Refuse Disposal District
  - Lincoln Refuse Disposal District
  - Augusta Refuse Disposal District
  - Wolf Creek Refuse Disposal District
- Rural Improvement Districts
  - Augusta Sewer
  - Augusta Sewer Maintenance and Operation
  - Augusta Lighting
  - Maynard Street Lighting

LEWIS AND CLARK COUNTY (Continued)

- Planning and/or Zoning
  - County Planning Board
  - Board of Adjustment
- Area-Wide Planning Organization (city-county)
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

LIBERTY COUNTY

- Liberty County Airport Commission
- Liberty County Cemetery District Board
- Liberty County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- Rural Fire Districts
  - Chester Fire District #1
  - Joplin Fire District
  - Whiteash Fire District
- County Board of Health
- County Hospital Board
- County Library Board
- Museum Board
- County Planning Board
- County Road Districts (three)
- Rural Improvement Districts
  - Joplin Lights
  - Joplin Sewer
- Tax Appeal Board
- Mount Royal Television District Trustees (Liberty and Hill Counties)
- Tiber County Water District
- Weed Control and Extermination District Board
- Board of Public Welfare

LINCOLN COUNTY

- City-County Airport Board (Libby, Eureka and Lincoln County)
- (Alcohol Service Center Board)
- Eureka Public Cemetery District Board of Trustees
- (Civil Defense)
- Lincoln Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board or Commission
  - Lincoln County Fair Commission
  - Lincoln County Fair Board (Eureka)
  - Lincoln County Junior Fair Board (Libby)

## LINCOLN COUNTY (Continued)

- Fire Districts
  - Libby Rural Fire District
  - Lincoln Rural Fire District
  - Torsy Rural Fire District
- County Board of Health
- Glen Lake Irrigation District Commissioners
- County Library Board
- Planning and/or Zoning
  - Libby City-County Planning Board
  - Lincoln County Planning Board
- Lincoln County Refuse Disposal District Board
- County Road Districts (three)
- Television District Trustees
  - Lake Creek TV District
  - Troy TV District
- Water and Sewer Districts
  - South Libby Flats Sewer District
  - Pinewood Water and/or Sewer District
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

## McCONE COUNTY

- County Airport Board
- McCone Conservation District Supervisors
- Election Boards and County Board of Canvassers
- Brockway Fire District
- County Board of Health
- County Library Board
- Livestock
  - Herd Districts (six)
  - Horse Herd Districts (eight)
- Planning and/or Zoning
  - Zoning Board of Adjustment
- County Road Districts (three)
- Tax Appeal Board
- Television District Trustees
  - Circle TV Booster Club
- Weed Control and Extermination District Board
- Board of Public Welfare

## MADISON COUNTY

- Madison County Airport Board
- County Buildings and Improvements Management Commission
- Public Cemetery District Board of Trustees
  - Madison Valley Cemetery District
  - Pioneer Cemetery District
  - Twin Bridges Cemetery
  - Laurin Cemetery District
  - Sheridan Cemetery District
  - Virginia City Cemetery District #12
  - Taylor Cemetery District
  - Cardwell Cemetery District
- Conservation District Supervisors
  - Madison Valley Soil Conservation District
  - Jefferson Valley Soil Conservation District
  - Ruby Valley Conservation District
- Election Boards and County Board of Canvassers
- Fair Board
- Fire Districts
  - Alder Rural Fire District
  - Twin Bridges Rural Fire District
  - Sheridan Rural Fire District
  - Harrison Pony-Norris Fire District #16
  - Ennis Rural Fire District
  - Jefferson Valley Rural Fire District
- County Board of Health
- Hospital District Board of Trustees
  - Madison Valley Hospital District
  - Ruby Valley Hospital District
- Irrigation District Commissioners
  - East Bench Irrigation District
  - South Boulder Irrigation District
- County Library Board
- Planning and/or Zoning
  - Madison County Planning Board
  - Ennis City-County Planning Board
- County Road District (county-wide)
- Rural Improvement District
  - Rural Improvement District Board of Trustees #305  
(multi-county)
  - Harrison Lights Rural Special Improvement District
- Tax Appeal Board
- Madison Television District
- South Boulder Water District Directors
- Weed Control and Extermination District Board
- County Board of Welfare

## MEAGHER COUNTY

- City-County Airport Board
- (Meagher County Ambulance Board)
- Mayn Public Cemetery District Board

## MEAGHER COUNTY (Continued)

- Meagher Conservation District Supervisors
- Election Boards and County Board of Canvassers
- Board of Health
- Meagher County Hospital District Board
- Meagher City-County Library Board
- Mosquito Abatement District Board
  - White Sulphur Springs Mosquito Abatement District
  - Mosquito District #2
- Planning and/or Zoning
  - Meagher County Planning Board
  - Zoning Board of Adjustment
- Refuse Disposal
  - Meagher County Refuse District
  - Checkerboard Garbage District
  - Martinsdale Garbage District
- County Road District (county-wide)
- Rural Improvement Districts
  - Martinsdale Special Improvement District
- Tax Appeal Board
- Television District Trustees
  - Checkerboard TV Association
  - Martinsdale Lennep TV Association
  - White Sulphur Springs TV Association
- Weed Control and Extermination District Board
- Board of Public Welfare

## MINERAL COUNTY

- County Airport Board
- Public Cemetery District Board of Trustees
  - Superior Public Cemetery District #1
  - St. Regis Public Cemetery District #2
  - West End Public Cemetery District #3
- Mineral Conservation District Supervisors
- Election Boards and County Board of Canvassers
- West End Fire District
- County Board of Health
- County Library Board
- Mineral County Planning Board
- County Road District (county-wide)
- Rural Improvement Districts
  - R.S.I.D. #2 - Lighting - Saltese
  - R.S.I.D. #3 - Lighting - St. Regis
- Tax Appeal Board
- Television District Trustees
  - St. Regis TV District
  - Superior TV District
- Weed Control and Extermination District Board
- Board of Public Welfare

MISSOULA COUNTY

- Missoula City-County Air Pollution Board
- Missoula County Airport Authority
- City-County Civic Center (County Building and Improvements Management Commission)
- Carlton Public Cemetery District Board of Trustees
- Missoula City-County Cemetery Board
- Missoula Conservation District Supervisors
- County Disaster Committee
  - (Civil Defense Committee)
  - (Flood Control Emergency Committee)
- Election Boards and County Board of Canvassers
  - (Watchdog Committee on Elections)
- Western Montana Fair Board
- Fire Districts
  - East Missoula Rural Fire District
  - Missoula Rural Fire District
  - Frenchtown Rural Fire District
  - Clinton Fire District
  - Jocko Valley Fire District
  - Florence-Carlton Fire District
- Missoula City-County Board of Health
  - (Alcoholism Task Force)
- Seeley Lake-Swan Valley Hospital District Trustees
- Irrigation District Commissioners
  - Clinton Irrigation District
  - Jocko Irrigation District
  - Big Flat Irrigation District
  - Frenchtown Irrigation District
  - Missoula Irrigation District
- County Land Advisory Board
- City-County Library Board
- Livestock
  - Herd District
- Missoula City-County Museum Board of Trustees
- Missoula City-County Park Commission
- (County Park Feasibility Study Commission)
- Planning and/or Zoning
  - Missoula County Planning Board
  - Missoula City-County Planning Board
  - Missoula Planning Policy Board
  - Missoula County Zoning Commission
  - Zoning Districts
- County Road District (county-wide)
- (Rodent Control Board)
- Refuse Disposal District Board of Directors
  - Missoula County Refuse Disposal District
  - Seeley Lake Refuse Disposal District
- Tax Appeal Board
- Urban Transportation District
- Water and Sewer Districts
  - Seeley Lake Water District
  - Lincoln Hills Sewer District
- Weed Control and Extermination District Board
- Board of Welfare

## MUSSELSHELL COUNTY

- Airports
  - Roundup City-County Municipal Airport Board
- Public Cemetery District Board of Trustees
  - Musselshell Cemetery District
  - Roundup Cemetery District
- Lower Musselshell Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Broadview Fire District
- County Board of Health
- Musselshell County Housing Authority
- Roundup-Musselshell School-City-County Library Board
- Department of Public Safety Supervisors (city-county)
- County Road Districts (three)
- Tax Appeal Board
- Roundup Television District Trustees
- Planning and/or Zoning
  - Musselshell County Planning Board
  - Zoning Board of Adjustment
- Weed Control and Extermination District Board
- County Board of Welfare

## PARK COUNTY

- Livingston-Park City-County Airport Board
- Park Conservation District Supervisors
- Election Boards and County Board of Canvassers
- Fire Districts
  - Clyde Park Rural Fire District
  - Cooke City-Silver Gate Rural Fire District
  - Gardiner Rural Fire District
  - Livingston Rural Fire District
  - Wilsall Rural Fire District
- City-County Board of Health
- County Land Advisory Board
- Livestock
  - Horse Herd Districts (four)
- Refuse Disposal District Board of Directors
  - Cooke City-Silver Gate Refuse District
  - Wilsall Garbage District
  - Clyde Park Garbage District
  - Smith Creek Garbage District
- County Road District (county-wide)
- Rural Improvement Districts
  - Gardiner Lights
  - Gardiner Sewer
  - Gardiner Water
  - Glenn Addition Lights
- Mosquito Control and Extermination District Board
- Museum Board of Trustees



## PARK COUNTY (Continued)

- County Board of Park Commissioners
- Planning and/or Zoning
  - Park County Planning and Zoning Board
  - Livingston City-County Planning Board
  - Zoning Board of Adjustment
- Tax Appeal Board
- Paradise Valley Television District Trustees
- Weed Control and Extermination District Board
- County Board of Welfare

## PETROLEUM COUNTY

- Petroleum Conservation District Supervisors
- Election Boards and County Board of Canvassers
- Multi-County Health District Board
  - (District includes: Fergus, Petroleum, Wheatland,  
Judith Basin and Golden Valley Counties)
- County Library Board
- County Road District (county-wide)
- Tax Appeal Board
- Television District Trustees
  - Grass Range TV
  - Winnett Community TV Systems
- Weed Control and Extermination District Board
- Board of Public Welfare

## PHILLIPS COUNTY

- Phillips County Airport Commission
- Election Boards and County Board of Canvassers
- Public Cemetery District Board of Trustees
  - Grandview Cemetery District
  - Malta Cemetery District
  - Dodson Hillside Cemetery District
- Phillips County Conservation District Supervisors
- County Fair Board
- County Board of Health
- County Housing Authority
- Irrigation District Commissioners
  - Malta Irrigation District
  - Dodson Irrigation District
- County Library Board
- Mosquito Abatement District Board
- County Board of Park Commissioners
- County Road Districts (three)
- Rural Improvement Districts
  - Saco Special Road
- Tax Appeal Board

### PHILLIPS COUNTY (Continued)

- Phillips County TV Translator District Trustees
- Weed Control and Extermination District Board
- Board of Public Welfare

### PONDERA COUNTY

- Pondera County Airport Board
- Public Cemetery District Board of Trustees
  - Conrad Cemetery District
  - Valier Cemetery District
- Pondera Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- County Board of Health
- County Board of Park Commissioners
- Planning and/or Zoning
  - Conrad-Pondera City-County Planning Board
  - Zoning Board of Adjustment
- County Road Districts (two)
- Tax Appeal Board
- Television District Trustees
  - Conrad TV District
  - Valier TV District
- Weed Control and Extermination District Board
- Board of Public Welfare

### POWDER RIVER COUNTY

- Powder River County Airport Board
- Powder River County Public Cemetery District Board of Trustees
- Powder River Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Belle Creek Rural Fire District
- Powder River County Library Board
- County Board of Park Commissioners
- County Road Districts (three)
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

### POWELL COUNTY

- Powell County Airport Board
- Conservation District Supervisors
  - Deer Lodge Valley Conservation District
  - North Powell Conservation District
- Election Boards and County Board of Canvassers

POWELL COUNTY (Continued)

- Tri-County Fair Board  
(Powell, Deer Lodge and Granite Counties)
- Race Track Rural Fire District
- County Board of Health
- Planning and/or Zoning  
Deer Lodge City-County Planning Board  
Zoning Board of Adjustment
- Deer Lodge Refuse Disposal District Board of Directors
- County Road Districts (three)
- Tax Appeal Board
- Deer Lodge Community Television District Trustees
- Weed Control and Extermination District Board
- County Board of Welfare

PRAIRIE COUNTY

- City-County Airport Authority  
Airport Authority Board
- Prairie County Public Cemetery District Board of Trustees
- Prairie County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Fire Districts  
Cabin Creek Rural Fire District  
Fallon Rural Fire District
- County Board of Health
- County Housing Authority
- Irrigation District Commissioners  
Buffalo Rapids Irrigation District #1  
Buffalo Rapids Irrigation District #2
- County Land Advisory Board
- County Library Board
- Museum Board
- Manor Board (Home for Elderly)
- Planning and/or Zoning  
Terry City-County Planning Board  
Board of Adjustment
- County Road Districts (two)
- Rural Improvement Districts  
Fallon Lights
- Tax Appeal Board
- Terry Television District Trustees
- Water and Sewer District  
Fallon Sewer District
- Weed Control and Extermination District Board
- County Board of Public Welfare

## RAVALLI COUNTY

- Hamilton City-County Airport Board
- Bitterroot Conservation District Supervisors
- Drainage District Commissioners
  - Humble Drainage District
  - Willow Creek Drainage District
- Election Boards and County Board of Canvassers
- County Fair Board
- Fire Districts
  - Darby Rural Fire District
  - Hamilton Rural Fire District
  - Stevensville Rural Fire District
  - Corvallis Rural Fire District
  - Florence Rural Fire District
  - Sula Rural Fire District
  - Victor Rural Fire District
- Ravalli County Board of Health
- Irrigation District Commissioners
  - Bitterroot Irrigation District
  - Blodgett Creek Irrigation District
  - Charles Irrigation District
  - Lomo Irrigation District
  - Sunset Irrigation District
  - Ward Irrigation District
  - Mill Creek Irrigation District
  - Canyon Creek Irrigation District
- County Board of Park Commissioners
- Planning and/or Zoning
  - Ravalli County Planning Board
  - Hamilton City-County Planning Board
  - Stevensville City-County Planning Board
  - Zoning Board of Adjustment
- County Road District (county-wide)
- Rural Improvement Districts
  - Corvallis Lighting District
  - Victor Lighting District
  - Roy Lighting District
- Tax Appeal Board
- Upper Bitterroot Television District Trustees
- Weed Control and Extermination District Board
- Board of Public Welfare

## RICHLAND COUNTY

- Airports
  - Sidney-Richland City-County Airport Board
  - Fairview Airport
  - Sidney-Richland Airport
- Richland County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board

RICHLAND COUNTY (Continued)

- Fire Districts
  - Savage Fire Rural District
  - Lambert Rural Fire District
- County Board of Health
- County Housing Authority
- Irrigation District Commissioners
  - Lower Yellowstone Irrigation District #1
  - Lower Yellowstone Irrigation District #2 or #4
  - Savage Irrigation District
- City-County Library Board
- Livestock
  - Herd Districts (12)
- County Board of Park Commissioners
- Planning and/or Zoning
  - Sidney City-County Planning Board
  - Zoning Board of Adjustment
- County Road District (county-wide)
- Rural Improvement District
  - Lambert Lighting District
- Tax Appeal Board
- Television District Trustees (Richland TV Club)
- Water and Sewer Districts
  - Lambert Sewer District
  - Savage Sewer #2
- Weed Control and Extermination District Board
- Board of Public Welfare

ROOSEVELT COUNTY

- Roosevelt County Airport Board
- Roosevelt County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Bainville Rural Fire District #64
- County Board of Health
- Hospital Districts Boards of Trustees
  - Culbertson Hospital District
  - Poplar Hospital District
  - Roosevelt Memorial Hospital District
- Roosevelt County Housing Authority
- Library Boards
  - Roosevelt County Library Board
- Wolf Point Mosquito Control District
- Museum Board of Trustees
- County Board of Park Commissioners
- Planning and/or Zoning
  - Wolf Point City-County Planning Board
  - Zoning Board of Adjustment
- County Road Districts (three)

ROOSEVELT COUNTY (Continued)

- Special Improvement Districts
- Tax Appeal Board
- Television District
  - Poplar TV District
  - Wolf Point TV District
- Weed Control and Extermination District
- Board of Public Welfare

ROSEBUD COUNTY

- Airports
  - Rosebud County Airport Board
  - St. Labre Mission Airport
  - Rosebud County Airport
- Rosebud Conservation District Supervisors
- Yellowstone Drainage and Irrigation District Commissioners
- Election Boards and County Board of Canvassers
- County Fair Board
- West Rosebud Rural Fire District
- County Board of Health
- Housing Authority
  - Rosebud County Housing Authority
- Irrigation District Commissioners
  - Hammond Irrigation District
  - Carterville Irrigation District
- Rosebud County Library Board
- County Board of Park Commissioners
- County Road District (county-wide)
- Rural Improvement District
  - Rosebud R.I.D. #1 (lighting)
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

SANDERS COUNTY

- Public Cemetery District Boards of Trustees
  - Herron-Noxon Cemetery District
  - White Pine-Trout Creek Cemetery District
  - Plains Cemetery District
- Conservation District Supervisors
  - Green Mountain Conservation District
  - Eastern Sanders County Conservation District
- Election Boards and County Board of Canvassers
- County Fair Board
- Plains Rural Fire District
- County Board of Health
- Eastern Sanders County Hospital District Board of Trustees

## SANDERS COUNTY (Continued)

- Jocko and Flathead Irrigation District #5 Commissioners
- County Board of Park Commissioners
- Refuse Disposal District Board of Directors
  - Thompson Falls Refuse Disposal District
  - Sanders County Refuse Disposal District
- County Road Districts (three)
- Rural Improvement Districts
  - Trout Creek Garbage Special Improvement District
  - Noxon Garbage Special Improvement District
  - Paradise Improvement
- Tax Appeal Board
- Television Districts
  - Hot Springs Television District
  - Plains-Paradise Television District
  - Thompson Falls Television District
  - Trout Creek-Herron-Noxon Television District
- Weed Control and Extermination District Board
- Board of Public Welfare

## SHERIDAN COUNTY

- Airports
  - Sheridan City-County Airport Board
  - Medicine Lake Airport
  - Plentywood City-County Airport Board
  - Plentywood Airport
- Public Cemetery Districts Boards of Trustees
  - Outlook Cemetery District
  - Plentywood Cemetery District
- Sheridan County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Fire Districts
  - Antelope Rural Fire District
  - Medicine Lake Fire District
  - Outlook Rural Fire District
  - Plentywood Rural Fire District
  - Redstone Rural Fire District
  - Westby Rural Fire District
- County Health Board
- County Hospital Association
- Sheridan County Housing Authority
- County Land Advisory Board
- Sheridan County Library Board
- Livestock
  - Herd Districts (22)
  - Sheridan County Livestock Protective Association
- City-County Park Board
- Planning and/or Zoning
  - Sheridan County Planning Board
  - Plentywood City-County Zoning Commission
  - Zoning Board of Adjustment

SHERIDAN COUNTY (Continued)

- County Road Districts (three)
- Rural Improvement Districts
  - Antelope Lighting District
  - Homestead Lighting District
  - Redstone Lighting District
  - Reserve Lighting District
- Weed Control and Extermination District Board
- Board of Public Welfare

SILVER BOW COUNTY

- Silver Bow County Airport Commission
- Mile High Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Fire Districts
  - Boulevard Volunteer Fire District
  - Columbia Gardens Fire District
  - Floral Park Fire District
  - McQueen Rural Fire District
  - Rocker Rural Fire District
  - Big Butte Volunteer Fire District
  - Centerville Volunteer Fire District
  - East Butte Volunteer Fire District
  - Home Atherton Rural Fire District
  - Melrose Fire District
  - Race Track Rural Fire District
- County Board of Health
- County Board of Park Commissioners
- Planning and/or Zoning
  - Butte City-County Planning Board
  - Zoning Board of Adjustment
- Melrose Refuse Disposal District Board of Trustees
- Rural Improvement Districts
  - Metro Sewer Phase #2
  - Metro Sewer Main and Treating Plant
  - County Garbage
  - Big Butte Lighting
  - Ramsay Lighting
  - Home Atherton Lighting
- County Road District (county-wide)
- Tax Appeal Board
- Television District
- Water and Sewer Districts
  - Butte Metropolitan Sanitary and Storm Sewer District
- Weed Control and Extermination District Board
- Board of Public Welfare



### STILLWATER COUNTY

- Public Cemetery District Board of Trustees
  - Park City Cemetery District
  - Rosebud Cemetery District
  - Rapelje Public Cemetery
- Stillwater Conservation District Supervisors
- (County Development Council)
- Election Boards and County Board of Canvassers
- County Fair Board
- Fire Districts
  - Broadview Rural Fire District
  - Absarokee Rural Fire District #1
  - Park City Rural Fire District #1
- County Board of Health
- Stillwater County Hospital Board of Trustees
- County Library Board
- Livestock
  - Herd Districts
  - Sheep Protective Area
- Planning and/or Zoning
  - Stillwater City-County Planning Board
- Stillwater County Refuse Disposal District Board of Directors
- County Road District (county-wide)
- Rural Improvement Districts
  - Absarokee Lighting District
  - Absarokee Sewer District (two)
  - Absarokee Waterworks District
  - Park City Lighting District
  - Park City Sewer District
  - Reed Point Lighting
- Tax Appeal Board
- Absarokee Television District Trustees
- Weed Control and Extermination District Board
- Board of Public Welfare

### SWEET GRASS COUNTY

- City-County Airport Board
- Sweet Grass Cemetery District Board of Trustees
- Sweet Grass County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Golf Course Board
  - (Buildings and Improvements Management Commission?)
- City-County Board of Health
- Big Timber Creek Canal Irrigation District Commissioners
- City-County Library Board
- Planning and/or Zoning
  - Sweet Grass County Planning Board
  - City-County Planning Board
- City-County Department of Public Safety (no formal board)

## SWEET GRASS COUNTY (Continued)

- County Road Districts (county-wide)
- Metropolitan Sanitary and Storm Sewer District Board
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

## TETON COUNTY

- City-County Airport Commission
  - Board of Adjustment
- Teton County Cemetery District
- Election Boards and Board of Canvassers
- Teton County Conservation District Supervisors
- County Fair Board
- Choteau Rural Fire District
- County Board of Health
- Irrigation Districts Commissioners
  - Greenfield Irrigation District
  - Bynum Irrigation District
- Rural Special Improvement Districts
  - Pendroy Lights
  - Power Lights
- County Road District (county-wide)
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

## TOOLE COUNTY

- City-County Airport Board
- Public Cemetery District Boards of Trustees
  - North Toole County Cemetery District
  - South Toole County Cemetery District
- (Civil Defense Board)
- Toole County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Rural Fire Districts (two)
- County Board of Health
- Toole County Hospital District Board of Trustees
- Livestock
  - Herd District
- Mosquito Abatement District Board
  - Sunburst Mosquito District
  - Shelby-Toole Mosquito Abatement District
- Museum Board of Trustees
- County Planning Board

## TOOLE COUNTY (Continued)

- County Road District (county-wide)
- Rural Improvement District (water)
- Tax Appeal Board
- Television District Trustees (East Butte TV Club)
- Weed Control and Extermination District Board
- Board of Public Welfare

## TREASURE COUNTY

- City-County Airport Board
- Public Cemetery District Board of Trustees
  - Hysham Cemetery District
  - Rancher Cemetery District
- City-County Community Center Board
  - (County Buildings and Improvement Management Commission)
- Treasure Conservation District Supervisors
- Election Boards and County Board of Canvassers
- (County Emergency Board)
  - (=County Disaster Committee?)
- (Emergency Medical Technicians Board - Treasure County Ambulance)
- County Board of Health
- County Housing Authority
  - (Energy and Winterization Advisory Council)
- Irrigation District Commissioners
  - Yellowstone Irrigation District
  - Box Elder Irrigation District
- (Jury Commission)
- Treasure County Recreation Board (city-county)
- Treasure County Planning Board
- County Road District (county-wide)
- Tax Appeal Board
- Weed Control and Extermination Board
- Board of Public Welfare

## VALLEY COUNTY

- City-County Airport Board
- Hinsdale Cemetery District Board of Trustees
- Valley County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- Hinsdale Rural Fire District
- County Board of Health
- Glasgow Irrigation District Commissioners
- City-County Library Board

## VALLEY COUNTY (Continued)

- Livestock
  - Valley County Livestock Protective Association
  - Herd Districts (15)
- Glasgow Mosquito Abatement District Board
- Planning and/or Zoning
  - Glasgow City-County Planning Board
  - Zoning Board of Adjustment
- Refuse Disposal District Board of Directors
- Rural Improvement Districts
  - Hinsdale Special Improvement District - Lighting
  - Hinsdale Special Improvement District - Fire Protection
  - Frazer Special Improvement District
  - Richland Special Improvement District
  - Nashua #1 and #2
- Tax Appeal Board
- Television Districts Trustees
  - Valley TV Club, Inc.
  - Richland TV
  - Hinsdale TV Club
- County Road Districts (three)
- Water and Sewer Districts
  - Frazer Water and Sewer District
  - Hinsdale Water and Sewer District
- Board of Public Welfare

## WHEATLAND COUNTY

- Airports
  - Harlowton Airport - owned by county
- Public Cemetery District Board of Trustees
- Upper Musselshell Conservation District Supervisors
- Election Boards and County Board of Canvassers
- County Fair Board
- County Road Districts (three)
- Rural Improvement Districts
  - Two Dot Lighting District #1, #2
- Tax Appeal Board
- Television Districts Trustees
  - Two Dot Repeater Association
  - Harlowton TV Association, Inc.
  - Judith Gap TV District
- Weed Control and Extermination District Board
- Board of Public Welfare

### WIBAUX COUNTY

- Public Cemetery District Board of Directors
- Wibaux County Conservation District Supervisors
- Election Boards and County Board of Canvassers
- City-County Board of Health
- Livestock
  - Horse Herd Districts
- Planning and/or Zoning
  - Wibaux County Planning Board
- County Road Districts (three)
- Tax Appeal Board
- Weed Control and Extermination District Board
- Board of Public Welfare

### YELLOWSTONE COUNTY

- City-County Air Pollution Control Board
- Public Cemetery District Board of Trustees
  - Custer Cemetery District
  - Huntley Public Cemetery District
  - Shepherd Cemetery District
- Civic Center Commission (Metro Board)\*
  - (County Buildings and Improvements Management Commission)
- (Civil Defense Advisory Council)
- Yellowstone County Conservation District Supervisors
- Drainage District Commissioners
  - Arnold Drainage District
  - Bannister Drainage District
  - Baseline Drainage District
  - Birely Drainage District
  - Carroll Drainage District
  - Canyon Creek Drainage District
  - Crawford Drainage District
  - Custer Drainage District
  - Danford Drainage District
  - Holling Drainage District
  - Kratz Drainage District
  - Mulway Drainage District
  - Nutting Drainage District
  - Shepherd Drainage District
  - Shiloh Drainage District
- Election Boards and County Board of Canvassers
- County Fair Board\*
- Fire Districts
  - Broadview Rural Fire District
  - Fire District #5 (Laurel)
  - Worden Rural Fire District
- Gambling Commission

YELLOWSTONE COUNTY (Continued)

- City-County Health Department
- Irrigation District Commissioners
  - Huntley Project Irrigation District
  - Lockwood Irrigation District
  - Victory Irrigation District
  - Danford Irrigation District
- County Land Advisory Board
- City-City-County Library Board
- Livestock
  - Herd Districts (four)
- Museum Board of Trustees
  - Western Heritage Museum Board
  - Yellowstone County Museum Board of Trustees (Art Center)
- Nursing Home Board of Governors
  - (Building and Improvements Management Commission)
- Planning and/or Zoning
  - Billings City-County Planning Board
  - Laurel City-County Planning Board
  - County Zoning Commission
  - Zoning Board of Adjustment
- County Road District (county-wide)
- Rural Improvement Districts (total of 577: lighting, paving, curb and gutter, water, and sewer)
- Tax Appeal Board
- Water and Sewer Districts
  - Billings Heights County Water District
  - Billings Heights County Sewer District
- Weed Control and Extermination District Board
- Board of Public Welfare

\*Boards meet jointly; some overlapping membership; maintain separate minutes and separate financial records.



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